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Marquess of Ailsa.

THOMAS WILDE.

WITHDRAWN
FROM STOCK

THE

PARLIAMENTARY

OR

CONSTITUTIONAL

Hiſtory of England;

From the earlieſt TIMES,

TO THE

Reſtoration of King CHARLES II.

COLLECTED

From the RECORDS, the ROLLS of PARLIAMENT, the JOURNALS of both HOUSES, the public LIBRARIES, original MANUSCRIPTS, ſcarce SPEECHES, and TRACTS; all compared with the ſeveral Contemporary WRITERS, and connected, throughout, with the Hiſtory of the Times.

By SEVERAL HANDS.

The SECOND EDITION.

VOL. III.

From the Acceſſion of King *Henry* VIII. to the fifth Year of Queen *Elizabeth*.

LONDON,

Printed for J. and R. TONSON, and A. MILLAR, in the *Strand*; and W. SANDBY, *in Fleet-Street*. MDCCLXII.

THE

Parliamentary Hiſtory

OF

ENGLAND.

ON the Demiſe of King *Henry* VII. his only Son, *Henry*, ſucceeded to the Throne, by the Name of *Henry* VIII. Never did Prince come to that Dignity with more ſhining Qualities, ſuch a natural Diſpoſition to do Good, and ſo many Advantages for reigning happily; inſomuch that no Perſon in *England* could doubt but that he would efface the Glory of the moſt illuſtrious of his Predeceſſors. He began his Reign at a Time alſo when the moſt happy Circumſtances concurred to make it eaſy to himſelf, and favourable to his People. Beſides his indiſputable Title to the Crown, he found the Kingdom peaceable; his Treaſury immenſely rich; his Subjects engaged to him in Love and Eſteem; the neighbouring Princes divided, and obliged to ſeek to him as an Arbitrator of Peace or War; in ſhort, to hold the Balance between the two great Houſes of *Valois* and *Auſtria*, who were then extremely jealous of each other's Power: But, though

The Acceſſion of K. *Henry* VIII. Anno 1509.

K. *Henry* VIII. though he retained his Grandeur, he ſoon diſſipated his Riches, for all the Treaſure his Father amaſſed in ſeveral Years, to the Value, as Authors atteſt, of 1,800,000 *l.* he prodigally ſquander'd away in three; as if, ſays Biſhop *Burnet*, the Son's Expence was to vie with the Father's Induſtry and Thriftineſs [a].

A Parliament called.

Anno Regni 1. 1509.

At *Weſtminſter*.

After the Coronation, which was perform'd with great Ceremony at *Weſtminſter*, *June* 25, 1509, Writs were iſſued out for calling a Parliament, dated at the ſame Place, *Oct.* 17, to meet on the 21ſt of *January* following; the firſt Writ to the Peers being directed to his moſt dear Couſin, *Edward* Duke of *Buckingham*, *&c.* the reſt we ſubjoin in their Order [b].

State of the Peerage.

Thomas Marquis of *Dorſet*,
Henry Earl of *Northumberland*,
Thomas Earl of *Arundele*,
John Earl of *Oxford*,
Thomas Earl of *Surrey*,
Richard Earl of *Kent*,
Henry Earl of *Eſſex*,
Thomas Earl of *Derby*,
George Earl of *Shrewſbury*,
Henry Lord *Clifford*,
George Lord *Nevile*, of *Bergavenny*,
George Lord *Haſtings*,
Thomas Weſt, Lord *De la Ware*,
Richard Lord *Lumley*,
John Brooke, Ld. *Cobham*,
Edward Sutton, Lord *Dudley*,
Richard Nevile, Lord *Latimer*,
William Lord *Willoughby*,
Charles Somerſet, Lord *Herbert*,
Thomas Lord *Darcy*,
William Lord *Coniers*,
William Blount, Lord *Mountjoy*,
John Lord *Zouch*,
John Bourchier, Lord *Fitz-Warin*,
Thomas Ormond, Lord *Rochford*,
Tho. Fennys, Lord *Dacre*,
Ralph Ogle, Lord *Ogle*,
John Bourghchiere, Lord *Berners*,
Edm. Grey, Lord *Wilton*,
William Lord *Stourton*,
Thomas Lord *Dacre*,
Henry Lord *Scroope*, of *Bolton*,
Tho. Grey, Lord *Ferrers*, of *Groby*,
Walter Devereux, Lord *Ferrers*,
George Lord *Fitz-Hugh*,
The

[a] *Burnet's Hiſtory of the Reformation*, Vol. I. p. 2.
[b] *Dugdale's Summons to Parliament*, Anno 1 *Henry* VIII.

The like Writs of Summons were sent to the following Judges, *&c.* K. *Henry* VIII.

Sir *Robert Rede*, Knt.
Robert Brudenell,
Humphrey Conyngſby,
Sir *John Fiſher*, Knt.
John Butler,
William Grevile,
Lewis Pollard,
Richard Elyott,
John Ernley, the King's Attorney-General.

On the Day appointed, being *Monday*, *Jan.* 21, the Parliament met in the Great Chamber of the Palace at *Weſtminſter*, near the Royal Chapel, or Oratory; and the King ſitting on his Throne, *William Wharham*, Archbiſhop of *Canterbury*, Lord High-Chancellor of *England*, by the King's Command, declared the Cauſe of the Summons under this Text [c]:

Deum timete, *Regem honorificate.* Pet. ii.

The Lord-Chancellor's Speech at opening the Parliament.

Which the Prelate divided into two Parts. To the *firſt*, he ſaid, 'That Fear was eſſential in many 'Proceedings; and that it particularly required 'Kings and Great Men to fear God above all 'others; by the Neglect of which not only Kings 'and their Subjects, but even Cities, Common-'wealths, and Kingdoms were afflicted, chaſtiſed, 'or almoſt totally ſubverted; for this Cauſe only, 'that the Fear of God was not before their Eyes.

To the *ſecond* Part he argued, 'That Kings 'ought to be honoured by their Subjects; and that 'to honour the King is to chuſe Judgment or Un-'derſtanding. In enlarging upon which he ſhewed 'many Sorts or Kinds of Judgment; concluding, 'That the aboveſaid Honour was the moſt power-'ful when the King's Subjects governed themſelves 'well; and, when there was Occaſion, reformed 'themſelves alſo; and when the Judges, acting 'by the Royal Authority, adminiſter ſuch Judge-'ment as is both juſt and right, humane and natu-'ral. Saying, how neceſſary good Laws are for the 'right Government of any Kingdom, *quia Leges*

[c] The following Speech and Proceedings in this firſt Parliament of *Henry* VIII. and all the ſubſequent ones, from this Time, are tranſlated and extracted from a Manuſcript Copy of the *Journals* of the Houſe of *Lords*, lately belonging to the Earl of *Oxford*.

K. *Henry* VIII. ‘ *ſunt Norma Reipublicæ bene inſtituendæ*; by an exact Obſervation of which all Republics muſt ‘ proſper. He argued alſo, That our Forefathers ‘ were accounted wiſe, not ſo much from many ‘ excellent Laws, which they made and publiſhed ‘ for the Benefit of Poſterity, but for a diligent and ‘ indifferent Obſervation of them: Hence Almighty ‘ God ought to be pray'd to, that good and nouriſh- ‘ ing Laws might not only be enacted in this Par- ‘ liament, which he aptly termed the Stomach of ‘ the Nation, but that they might be alſo uprightly ‘ executed. Upon Juſtice, he ſaid that it chiefly ‘ and neceſſarily behoved Kings to govern their ‘ Dominions wiſely, and then introduced ſeveral ‘ other Officers truſted with the Affairs of the ‘ Public. The Judges, who rightly and duly ad- ‘ miniſtered Juſtice, he ſaid, were the Eyes of the ‘ Commonwealth; the learned Expoſitors of the ‘ Laws he ſtiled the Tongues of it. Others were ‘ the Meſſengers of the Government, as the Sheriffs ‘ and Magiſtrates of Cities and Counties; the for- ‘ mer of which, who did not execute their Offices ‘ rightly, he compared to *Noah*'s Raven. The Col- ‘ lectors of the Taxes and Cuſtoms he called the ‘ Commonwealth's Spies, of which Number few, ‘ he ſaid, were found to be good. Others were ‘ the Pillars of the Government, as Juries of twelve ‘ Men are.

‘ *Laſtly*, ſays our Authority, *cum magno Au- ‘ dientium Plauſu*, he went upon the State of ‘ the whole Kingdom, and urged that it was the ‘ real Intereſt of each ſeparate Body, Spiritual, ‘ Temporal, and Commonalty, to unite in ſupport- ‘ ing the Crown; that Juſtice, which is the Queen ‘ of Virtues, may be auſpicious in the Nation: That ‘ both Biſhop and Peer may join in reforming the ‘ Errors of paſt Times; in utterly aboliſhing all ‘ iniquitous Laws; in moderating the rough and ‘ ſevere ones; in enacting good and uſeful Statutes; ‘ and, when made, to ſee that they ſhould be faith- ‘ fully, honeſtly, and inviolably obſerved: Which, ‘ if this Parliament will perform, then he affirmed ‘ that

'that there was no one could doubt but that God 'should be feared, the King honoured, and, for 'the future, the Commonwealth ſerved with good 'Counſellors, every Way uſeful to the King and 'Kingdom.' K. *Henry* VIII.

After this elaborate Diſcourſe was ended, the Chancellor, in the King's Name, directed the Commons to meet the next Day, in their accuſtomed Place, and chuſe their Speaker. At the ſame Time the Receivers and Triers of Petitions and Complaints, from different Parts of the King's Dominions, were appointed: And, ſince our Authority gives us their Names, we ſhall, for once, tranſcribe them, to ſhew who were the Members of either Houſe that were truſted with thoſe Affairs at that Time.

Receivers appointed for Petitions from *England*, *Ireland*, *Wales*, and *Scotland*, to be deliver'd within ſix Days.

Sir *John Young*, Sir *Roger Lupton*, Sir *John Taylor*.

From *Gaſcoigny* and other Countries beyond Sea, with the Iſles, within ſeven Days.

Sir *Nicholas Weſt*, Sir *James Whetſton*,
Sir *William Litchfield*, Sir *Nicholas Rawſtons*.

The Triers of Petitions from *England*, *Ireland*, *Wales*, and *Scotland*, were

The Archbiſhop of *Canterbury*,
Duke of *Buckingham*,
Biſhops of *Wincheſter*, *Exeter*, and *Rocheſter*,
Earl of *Shrewſbury*,
Earl of *Surrey*,
Abbots of *Weſtminſter*, *St. Edmundſbury*, and *Abingdon*,
Lord *Haſtings*,
Lord *Herbert*.

All theſe together, or a Number of theſe Biſhops and Lords, had a Power to call to them the Lord-Chancellor or Treaſurer, or two other of the King's Officers, when there was Occaſion. They were to ſit in the Chamber of the King's Chamberlain.

The Names of the Triers for Petitions from *Gaſcoigny* and other foreign Parts are omitted, as is ſuppoſed, by Neglect of the Clerks; for it fol-

K. *Henry* VIII. lows, on the *Record*, that these also had Power to call to them the great Officers above, and the King's Serjeant, and they were to sit in the Chamber of the Treasury. Some Proxies for absent Bishops and Abbots being read and allowed of, concluded the Business of the first Day.

The next Day the Commons sent Sir *Robert Drury*, Knt. to the Lords, to acquaint them that they had chosen a Speaker; on which the Lord-Chancellor appointed Ten o'Clock the next Morning for them to present him before the King; and accordingly they presented *Thomas Inglefield*, Esq; [d] as their Speaker; whose Excuse for Insufficiency not being accepted, with the usual Protestation for Liberty of Speech, *&c.* he was confirmed. At the same Time it was unanimously agreed, by the Lords Spiritual and Temporal, to meet the next Morning, and every Day during the Sitting of this Parliament, at Nine o'Clock, in order to do Business,

THO. INGLEFIELD, Esq; elected Speaker.

The fourth Day of this Parliament, being *Thursday*, *Jan.* 24, the Lords again met, when four Bills were presented and read. The first, as usual, to confirm the Liberties of Holy Church; the next, to prevent false Returns in Escheats to the Crown; one for forfeited Patents granted for Life; and another for reforming Excess in Apparel. The two first and the last were read twice on that Day, and committed to the King's Attorney and Sollicitor-General [e] for their Amendments.

But we shall not tire our Readers with the further Proceedings of this Parliament contained in the *Journal-Book*, except when any remarkable Ordinance or Debate occurs. The most useful Statutes which were made in it will appear best under their several Heads in the Sequel.

The particular Writer of this King's Life tells us [f], 'That at this Time it was thought fit, for many

[d] *Stowe* calls him Sir *Thomas Ingleby*, Knt.

[e] These Officers, with the Clerk of Parliament, were then made Use of, as Messengers, to carry Bills from the House of Lords to the Commons.

[f] *The Life and Reign of King* Henry VIII. *by* Edward *Lord* Herbert *of* Cherbury. *Fol.* Lond. 1682. *Kennet's History of England*, Vol. II. p. 6.

'many Reasons, but especially for contenting the 'Commonalty, which seemed to be wholly altered 'by the rigorous Proceedings of *Henry* VII. to call 'a Parliament, which began in *January* following.' This Noble Author adds, That the principal Persons designed to be struck at in it were *Empson* and *Dudley*, two of the late King's Agents; and who were now not only exposed to the Revenge of all Men, but had been publickly tried at *Guildhall*, some Time before, for High Treason, found guilty, and condemned for it. K. *Henry* VIII.

The Reader may observe that the Lord-Chancellor glances strongly, in his Speech at the Opening of this Parliament, against such iniquitous Practices of which these Men had been found guilty. And the principal Scope of the Members of both Houses seemed to have Reference to this Business alone; especially the Lower House were so warm in it, that the King thought proper, adds the Historian above quoted, to restrain his own Authority, in some Sort, in order to enlarge the People's Confidence and Affection to him.

Proceedings against Sir *Thomas Empson* and *Edmund Dudley*, Esq; the late King's Chief Ministers.

The first Stroke that we find in the *Journal-Book*, made at these Oppressors, is in a Bill brought from the Commons, and read in the Upper House, for removing and abolishing both the Names and Offices of all Promoters and Commissaries for ever. To which the Lords agreed; and ordered farther, That the Names of those Officers should be enter'd on the Parliament-Roll, as a perpetual Memorial of their Infamy and Disgrace.

They are attainted.

The next is, That a Bill of Attainder against the Persons and Estates of Sir *Thomas Empson*, Knt. and *Edmund Dudley*, Esq; was brought up to the House of Lords, and passed there without any Opposition. Several of the Statutes, by which the late King took Advantage of the People, were now either repealed, explained, or limited; amongst which the Benefit of Forfeitures for Penal Laws was reduced to the Term of three Years next succeeding the Offence committed to the King; and to any other Person within one Year [g].

[g] *Statutes at large*, An. 1 *Henry* VIII. cap. iv.

Lastly,

K. *Henry* VIII. Laſtly, Some untrue Inquiſitions, found by *Empſon* and *Dudley*, as alſo ſome Aſſurances of Lands paſſed to them, were annihilated and made void [h]. But tho' theſe Men were caſt into Priſon, and thus loaded, as it were, by a double Sentence of both Jury and Parliament, yet the King was not over haſty in ordering their Execution. 'Till the next Year, in a Progreſs he made, the People's Clamours were ſo great againſt theſe Criminals, that, for their Satisfaction, he ſent a ſpecial Writ to have their Heads ſtruck off. By doing which, ſays Lord *Herbert*, it was thought, by many, that he acted more like a good King than a good Maſter.

Another later Hiſtorian remarks [i], That this Method of condemning People to die, by the Authority of King and Parliament, without particular Mention of the Nature of their Offence, or the Proofs in Support of the Charge, had 'till then been ſeldom practiſed; but, ſo dangerous are ſuch Precedents, that it was but too frequently followed in the Courſe of this Reign.

There was nothing done elſe that was material in this Parliament, except we mention a Repeal of a Sumptuary Law, and a new one, a little more decent, ſubſtituted. But tho' the Noble Hiſtorian mentions no Subſidy granted to the King at this Time, yet the *Journal-Book* is not ſo ſilent, but tells us that, on the laſt Day of the Seſſion, the Commons, with Conſent of the Lords Spiritual and Temporal, granted a Supply of two Tenths and two Fifteenths, as by Indenture there ſpecified, beginning with theſe Words: *We your humble Subjects*, &c. And on which Indenture was indorſed, in *French*, *Le Roi remercie ces Communes de leur bon Actions en faizant les Grantes ſuſdictes*, &c.

A Subſidy granted.

On the laſt Day of this Parliament, which was *Feb.* 23, being all met in the Chamber called the *Croſs-Chamber* [k] of the Palace, the King on his Throne,

[h] *Statutes at large*, An. 1 *Henry* VIII. cap. iv.

[i] *Rapin's Hiſtory of England*, Fol. Edit. p. 708.

[k] *Camera Crucis.*

Throne, and the Peers in their Parliament Robes, the Speaker of the House of Commons, now Sir *Thomas Inglefield*, Knt. spoke to the King, on presenting the Bills, to this Effect: K. *Henry* VIII.

The Speaker's Speech to the King on presenting the Subsidy Bill.

'He first bestowed great Praises on his Majesty 'for the Gifts of Nature, Fortune, and Grace, 'which God had given to him: But more particularly enlarged on his promising Valour, wonderful Temperance, divine Moderation in Justice, 'and his avowed Desire for Clemency. At the 'same Time he declared, by many Examples, the 'great Good-will and due Obedience which his 'Subjects paid him; and, as a Testimony of which, 'the Grant for the Subsidy, which he then presented, containing a very large Sum of Money, 'was a sure and certain Proof of their Fidelity and 'Affection towards his Most Excellent Majesty's 'Person and Government.'

After this Harangue was ended, all the Bills passed by this Parliament were separately read for the Royal Assent; and then the Lord-Chancellor, in the King's Name, after reciting what Acts then made were most conducive to the Public Good, recommended to all the Lords Spiritual and Temporal, and the Commons, the due Observance of these Laws in the several Parts of the Kingdom where they dwelt. Then, returning Thanks to the whole Body for their great Care and Diligence in enacting them, by the King's Command, he dissolved the Parliament.

The Parliament dissolved.

The next Year an unnatural Quarrel began between *Julius* II. then Pope, and his Most Christian Son, *Lewis* XII. King of *France*. All the Princes of *Europe* were interested one Way or other in this Dispute, which had proceeded to an open War between them. Amongst the rest, our *Henry* thought proper to take the weaker Side, and to defend the Cause of Religion; either because, as Lord *Herbert* expresses it, that he might gain from *France* the Title of *Christianissimus*; or, what was more solid, those long-lost Dukedoms which his Predecessors,

Quarrel between Pope *Julius* II. and *Lewis* XII. of *France*.

Kings

K. *Henry* VIII. Kings of *England*, had formerly held in *France*. Stirred up with Religion or Ambition, young *Henry* resolved to push this Affair against *Lewis*, and to that End he summoned a Parliament to lay the Matter before them; accordingly Writs were sent out, dated *Nov.* 28, for one to meet at *Westminster* on the 4th Day of *February* following.

A Parliament called on that Account.

Anno Regni 2. 1510. At *Westminster*. At which Time being all assembled in the Painted Chamber, as usual, the King sitting on the Throne, *William* Archbishop of *Canterbury*, still Lord-Chancellor, opened the Session by a Speech, or rather a Sermon, from this Text, *Justitia & Pax osculatæ sunt.*

This, according to Form, he divided into two Parts: In the *former* of which he took Notice,

The Chancellor's Speech to them.

'how necessary and even wholsome it was for any 'powerful Empire or Government, on any urgent 'Occasion, such as the present was, to call Parliaments, or public Councils. This, he said, was the 'constant Custom of the *Roman* Government; 'which he proved from the Testimony of *Valerius* '*Maximus*. It was also the Advice of *Solomon*, 'saying, *Chuse ye just Men*; *be wise all ye that pre-* '*side over the People*; from whence Wisdom, Justice, and Peace, the most shining Virtues of a 'Commonwealth, must necessarily arise. He shewed that the Divine Wisdom, coming from Kings 'and Rulers, was far above all Earthly Knowledge. 'And from the Love of two other Virtues, *viz.* Justice and Peace, those fruitful, mutual, and amicable Commodities, necessary in Society, might 'sooner be gained. But then, lastly, he shewed, 'that when the Streams of Justice are perverted by 'Men who seek to obtain their worldly Promotions 'and Power, variously and scandalously, *per Fas* '*aut Nefas*; by Neglect of the Poor, and being 'wholly swayed by carnal Affections; by making 'Juries forswear themselves, by Threats and other 'over-bearing Ways; then he said it was full Time 'to reform these Abuses, lest worse should follow.'

To the *second* Part, he said, 'Of holy Peace, 'which *Christ* had left to his Disciples by this Text,

'and

'and when Wars should happen, God only suffer'd them on Account of the Sins committed by wicked Princes or Rulers. From the Authority of the Old Testament he instanced the Story of *Joshua* against the *Amalekites*, and *David* against the *Philistines*; who made War by the immediate Command of God. He likewise told them, that, in proclaiming War with an Enemy, we should first of all examine the Justness of the Quarrel, and the Intention of the Proclaimer. He added, further, what was absolutely necessary in those that took the Field and hoped for Victory; first, that they should walk in the Ways of the Lord, and in him alone place their Dependence, ; that every Man should keep the Post he was ordered to; that each Individual should be content with his Pay, and avoid all Plunder.' K. *Henry* VIII.

Lastly, he told them, 'That this present great Council, or Parliament, was called, in order to correct and amend all the Statutes and Ordinances which were found to be erroneous, or contrary to the common Course of Justice and the Laws. At the Conclusion he directed the Commons to meet the next Day to chuse their Speaker, and afterward present him to the King.'

The Receivers and Triers of Petitions being named and appointed, as usual, the next Day the Commons presented Sir *Robert Sheffield*[1], Knight, for their Speaker, who was approved of by the King and confirmed accordingly. Sir ROBERT SHEFFIELD chosen Speaker.

But it was not till the 15th Day of this Session of Parliament that a direct Declaration of the intended War with *France* was made to them: At which Time the Lord-Chancellor, by the King's Command, in a very solemn Manner, opened to the Bishops and Lords the more secret Causes for calling this Parliament. He acquainted them, *first*, 'That the King of *Scots* had many Ways insulted, and even destroyed, several of the King's Subjects on the Borders. *Next*, the War between *Henry* takes Part with the Pope, and declares War against *France*;

'the

1 Some Time Recorder of *London*. *Holling shead*.—He was an Ancestor of the late Duke of *Buckingham*'s Family.

K. Henry VIII. ‘ the King of *Caſtile* and the Duke of *Guelderland*, ‘ the King's Ally, was to be conſidered. And, ‘ *laſtly*, an Account, tranſlated into *Engliſh*, was ‘ read by the Maſter of the Rolls, concerning the ‘ Diſſentions, which were then on Foot between ‘ our holy Father the Pope and *Lewis* King of ‘ *France*; containing a Recital of all the Contu- ‘ melies, Miſchiefs, and Injuries which had been ‘ done to the Holy See, by the ſaid *French* King.’ And, afterwards, the ſaid Lord-Chancellor, with the Lord Treaſurer and other Peers, went down to the Lower Houſe, to acquaint the Commons with theſe Matters.

Which is approved by Parliament, and a Subſidy granted thereupon.

It hath been ſeveral Times obſerved, in the Courſe of theſe Inquiries, that a Propoſal of a War with *France* was always well entertained by an *Engliſh* Parliament. Accordingly this laſt, tho' on no extraordinary Grounds, was no ſooner propounded to the Houſes than accepted of. The Lords ordered in a Bill and paſſed it, containing certain great Privileges granted to the Marquis of *Dorſet*, and other great Men, that would go beyond Sea with the King. And the Commons voted a large Supply, of two Tenths and two Fifteenths, with Tonnage and Poundage, to carry on the War [m].

The moſt remarkable Acts that were paſſed, in the firſt Seſſion of this Parliament were theſe:

Acts paſſed.

Firſt, ‘ Every Perſon that is or ſhall be in the King's Wars, beyond the Sea, or upon the Sea, ſhall have a Protection of *Proſecturus*, or *Moraturus*, *cum Clauſula*, *volumus*; and he may alienate his Lands, holden *in Capite*, without Licence; and if he die in that Service, his Heir within Age and in Ward, his Executors, Feoffees, or Aſſigns, ſhall have the Wardſhip and Marriage, towards the Performance of his Will.’ Alſo, by another Act, ‘ Penalties were ordained for Captains that abridged the Number of their Soldiers, or detained their Wages; alſo, for Soldiers departing without Licence.’

‘ That

[m] *Hall* writes, that it was two Fifteenths of the Temporality, and of the Clergy two *Diſmes*. *Hall's Chronicle*, *Henry* VIII. Fol. xvi.

That becauſe Money, Plate, and Jewels, *&c.* being carried out of the Kingdom, impoveriſhed it, it was enacted, 'That every Offender that Way ſhould forfeit double Value [n].' K. *Henry* VIII.

An Ordinance formerly made againſt Eſcheators, Commiſſioners, and finding and turning of Offices, was alſo confirmed: This, it ſeems, had ſtill Relation to *Empſon* and *Dudley*'s Proceedings [o]. Becauſe ſeveral unlawful Games kept Men from ſhooting in the Long-Bow, they were put down, and Archery commanded: For the better underſtanding of which Act another paſſed, whereby the Uſe of the Croſs-Bow was alſo forbidden [p].

We find by the *Journal-Book*, that, in this Parliament, the King reverſed the Attainder againſt the late Sir *Edmund Dudley*, and reſtored his Son *John* to all his Lands and Poſſeſſions. This *John Dudley*, towards the latter End of this Reign, was conſtituted Lord High-Admiral of *England*, and was in the higheſt Eſteem. The Attainder againſt Sir *Edm. Dudley* reverſed.

March 30. The Parliament, by the King's Command, was prorogued to the 4th of *November* following [q].

Great Levies and Preparations were now made for the *French* War; and, being all ready, the Marquis of *Dorſet*, with a large Retinue of other Noblemen, and a Body of 10,000 choice *Engliſh* Soldiers, were ſent into *Spain*, to join with the Duke *D'Alva*, the *Spaniſh* General, and carry Deſtruction into *France* from that Quarter: But, meeting with ſome unforeſeen Accidents and Diſappointments, the General returned home the next Winter, *Re infecta*. And now the *French*, according to Cuſtom, having drawn in the King of *Scots*, by Treaty, to An Embarkation againſt *France*. The *French* draw in the *Scots* to their Party.

[n] *Statutes at large*, *Henry* VIII. cap. i. iv. v.

[o] Lord *Herbert* in *Kennet*, p. 8.

[p] *Ibid.* and *Statutes at large*, 3 *Henry* VIII. cap. iii. xiii.

[q] During the Sitting of this Parliament one *Nevvbolt*, Yeoman of the King's Guard, and highly favoured by him, wilfully ſlew a Servant of the Lord *Willoughby*, in the Palace at *Weſtminſter*; but the King reſented this ſo much, that, ſetting aſide all Affection, he cauſed him to be hanged in the Palace-yard; where he hung two Days, as an Example to others. *Hall's Henry* VIII. Fol. xvi.

K. *Henry* VIII. to make a Diverſion into *England* in their Favour; *Lewis* thought himſelf above a Match for *Henry*.

On *November* the 4th, this Year, the ſame Parliament met again, by Prorogation; tho' our Statute-Books, and all our Hiſtorians, call it a new one. But tho' the *Journals* expreſly mention this Prorogation, and add, that the Proceedings of this ſecond Seſſion are contained in a Book of the 4th of this King, yet that Book, by Negligence, is loſt; ſo that what we can find muſt be taken from the Authorities above-mentioned.

A Parliament at *Weſtminſter*. Anno Regni 4, 1512.

Lord *Herbert* writes, That the King being now reſolved to go abroad in Perſon, in order to ſecure his own Dominions from the *Scots*, he ſent the Earl of *Surrey* with an Army into *Yorkſhire*, to protect thoſe Northern Parts of the Kingdom. Whilſt this was doing he called a Parliament to meet at *Weſtminſter*; where, beſides enacting ſeveral good Laws, he had a Grant of two more Tenths and Fifteenths [r], as a Subſidy. Beſides this he had a Poll-Tax granted him; which was, of every Duke 10 Marks; of every Earl, 5 *l.* a Lord, 4 *l.* a Knight, 4 Marks; of every Man worth 800 *l.* in Goods, the ſame; of each Man who had 40 *s.* in Wages, 12 *d.* and of all who were at, or above, fifteen Years of Age, 4 *d.*

A Subſidy granted.

A Poll-Tax.

Theſe were heavy Taxes, but the Nation being at that Time threatened with a double Invaſion, both from *France* and *Scotland*, the preſent Danger took off any Reſentment from it. We find that the very firſt Act that was paſſed this Seſſion, was, in order to ſecure the Sea-Coaſts, by erecting of Bulwarks, Brays, and Walls, in *Cornwall*, and elſewhere, and fortifying the Caſtles on theſe Coaſts. Nor was this Precaution without Reaſon, for the very next Summer the *French* landed a Number of Men in *Suſſex*; but they were ſoon beat back again to their Ships.

The *French* land in *England*.

On

[r] *Stowe* writes, two Fifteenths and four Demies; and that it was reſolved in this Parliament, that the King ſhould go to the Wars in Perſon. *Stowe's Chron.* p. 491.

On the Authority of Lord *Herbert* we venture to say, that, after passing the above-mentioned Act, and some others of less Concern, this Parliament was again prorogued to *January* 23, which was in the Year 1513, or the 5th of this King. K. *Henry* VIII. Anno Regni 5. 1513.

In the mean Time *Henry* had headed an *English* Army in Person in *France*, had won the Battle of the *Spurs*, and had taken *Terwin* and the City of *Tournay*; the Citizens of which, to the Number of 80,000, took Oaths to become true Subjects to *Henry*. *James* IV. King of *Scotland*, had brought a puissant Army into *England* also, in *Henry*'s Absence; but was met in *Northumberland* by the Earl of *Surrey*, when the fatal Battle of *Flodden-Field* was fought, in which the *Scots* King was killed, and about 10,000 of his Followers left dead upon the Spot. *Henry* takes *Tournay*. The *Scots* routed at *Flodden-Field*.

After *Henry*'s Return to *England* the Parliament met as before-mention'd; but, as far as we can find, very little was done in it. The Title of the first Act passed, in the Statute-Books, is to ordain 'How the King's new Subjects of *Tournay* and *Terwin*, in *France*, may have Assurance and Recovery of their Debts due to them by *Englishmen*; and how *Englishmen* of them.' It was also enacted, 'That every Man that would sue for the King's Pardon, granted on certain Articles, should have it [s].'

Our Noble Historian [t] mentions another Thing, remarkable enough, done in this Session of Parliament; which was, 'That *Margaret*, Daughter 'to *George* Duke of *Clarence*, late Wife to Sir 'Richard *de la Pole*, Knight, petitioned the King, 'That since *Edward* Earl of *Warwick*, her Brother, had been attainted in a Parliament held the '19th of *Henry* VII. and all his Lands confiscated, 'it would please the King to restore her to Blood 'and Inheritance, and that she might be stiled 'Countess of *Salisbury*;' which was granted, and confirmed by Parliament.'

Not

[s] *Statutes at large* 5 *Henry* VIII. cap. i. viii.

[t] Lord *Herbert* in *Kennet*, p. 19.

K. *Henry* VIII.

A Peace with *France*.

Not long after this *Lewis* the *French* King, having first reconciled himself to the Pope and Holy Church, concluded a Peace also with *Henry*; and, tho' he was far advanced in Years, proposed himself as a Match, and actually married the Princess *Mary*, *Henry*'s Sister, one of the fairest Ladies of her Time: But, dying within little more than a Month after this, without Issue, the Crown of *France* descended to the next Heir, *Francis de Valois*, his Cousin-German.——But to pursue the Thread of our own History.

Anno Regni 6. 1514.

At *Westminster*.

Henry, in the 6th Year of his Reign, thought proper to call another Parliament; and Writs were accordingly issued out, dated *November* 23, to meet at *Westminster* on the 5th Day of *February* following.

Being all assembled, as usual, before the King, in the Painted Chamber of the Palace at *Westminster*, *William* Archbishop of *Canterbury*, and Chancellor, made an Oration to them on these Words: *Nunc Reges intelligete, erudimini qui judicatis Terram.*

The Chancellor's Speech to the Parliament.

On which Words he observed, 'That the Antients with great Care, Study, and Love, nourish'd 'the Commonwealth, and that it was their greatest 'Glory and Comfort when they saw it flourish 'under their Auspices. But our Republic sickens 'and decays; because, adds he, the Moderns pre-'fer their own private Affairs to the Public. In 'order, therefore, to restore the Commonwealth 'to its pristine Sanity, the ablest Physicians are, 'first, a wise King, which is the Standard of the 'People; and a Multitude of wise Counsellors, 'which give Health to the whole World. After-'wards he told them that the ruling Rod of a 'Kingdom was what all Kings ought chiefly to 'understand, since it went by a triple Direction. 'The first was, That Kings should carry them-'selves towards God, both in loving, fearing, and 'serving him. In the next Place, that they should 'know how to govern themselves, by Knowledge, 'Judgment, and Reformation. Lastly, that every 'King

'King ought to learn how to carry himself towards his Subjects, *viz.* In administering impartial Justice, in giving Audience equally, and in taking the Trouble himself to hear the Complaints of his Subjects. To this he added what Qualities belonged also to good Counsellors, *viz.* That they should give such Counsel as was heavenly, honourable to the King, and useful both to the People and Commonwealth: That they should be Speakers of Truth, and not Flatterers; firm, and not wavering, in their Counsels; and neither covetous nor ambitious.' K. *Henry* VIII.

To the *second* Part of his Text, which was, *Erudimini qui judicatis Terram*, which concerns Judges, and all other Officers in the Administration of Justice, he said, 'That it behoved them to judge righteously, without Dread or Fear of any Man; for, by Fear, the Course of Justice hath been oftentimes hindered and perverted. The principal Cause of which Fear is, the Want of Love for Justice; he exhorted them, therefore, that they all should endeavour to cherish that Love, according to the Saying of *Solomon*, *Love ye Justice*. He told them that Justice ought to be highly respected by all, for many Reasons: As well because the wise Men of old did so, as for its Necessity and Usefulness in Life, in the Preservation of Property: And as well because God loved Justice, as it is written, *Righteous is the Lord, and he loveth Justice*, as because the Lovers of Justice shall be blessed of the Lord; for, in the Gospel, it is said, *Blessed are they that hunger and thirst after Righteousness, and that suffer Persecution for it.*

'*Finally*, He exhorted them diligently to observe the aboveſaid Instructions, and that what wanted Reformation in the State he hoped would be amended in this present Parliament; which, if it was done, would be pleasing to God, give Honour to the King, and abundant Peace and Tranquillity to the whole Kingdom. *Quod Deus concedat. Amen*[a].'

[a] This whole elaborate Speech of the Prelate's seems to be comprized in one Line of the Poet,

Discite Justitiam, *Moniti*, & *non temnere* Divos.

K. *Henry* VIII.

THOMAS NEVILE, Esq; chosen Speaker.

The Chancellor having recommended it to the Commons to chuse a Speaker, and the Receivers and Triers of Petitions being appointed, the next Day they presented *Thomas Nevile*, Esq; for that Office; whose Excuse being rejected, with the usual Protestation, he was allowed.

Next follows, in the *Journal-Book*, the Names of all the Bishops, Abbots, Priors and Lords, then present in the House, to the Number, in all, of 91. And it is there remarked that their Names are every Day set down, only distinguishing those that are present that Day with a particular Mark of the Pen against each Name.

On the 9th Day of this Session, *February* 10, the Lord-Chancellor, attended by the Archbishop of *York*, the Bishops of *Winchester* and *Durham*, the Earl of *Surrey* Lord-Treasurer, the Earl of *Worcester*, with other Peers, went down to the House of Commons, where the Chancellor declared the more particular Causes of the Calling this Parliament.

He first acquainted them, 'That the Money 'granted to the King, by the last Parliament, was 'not yet fully received; and that it had been 'thought necessary to collect the Poll-Tax, he 'supposed, not from the Poor and Needy, but from 'the Rich, and those who were able to pay it.' To this he added, 'That the *Scots* had lately, at several Times, done great Injuries to the King's Subjects, both by Land and Sea, and were daily meditating more: By which Attempts his Majesty, being sufficiently provoked, had determined to 'declare War against them. Therefore the Chancellor exhorted the Commons diligently to consider these Things, and the King's necessary Expences on that Occasion.'

On the 14th of the same Month a Committee of the Lords, consisting of the Lord-Treasurer, the Earls of *Shrewsbury*, *Derby*, *Wiltshire*, *Surrey*; the Lords *Fitz Walter*, *Bergavenney*, *Willoughby*, and *Cobham*, were appointed to meet certain of the Lower House, in order to consult together on the present State of Affairs.

The

The next Day a Conteſt aroſe in the Houſe of Lords, concerning the Super-eminence of Seats in Parliament. *Thomas* Earl of *Surrey* claimed the firſt Place amongſt the Earls, both in and out of Parliament, as being the eldeſt Son and Heir to the Duke of *Norfolk*. On this Occaſion *Garter* King at Arms was ſent for before the Lords, who ſhewed his Book of the Arms and Families of the antient Nobility and other Peers of this Kingdom: But ſaid that, as concerning the Superiority of Seats in Parliament, he could not determine: Whereupon the Lord-Chancellor deferred the Deciſion of this Queſtion to *Saturday* following. K. *Henry* VIII.

And on that Day, there having nothing material happened between, the Lord-Chancellor declared and decreed, on the Queſtion aboveſaid, 'That 'the Earl of *Surrey*, with much Humility and Diſ-'cretion, had agreed to content himſelf with his 'Place in Parliament according to his Creation, 'and not Dignity. Provided, always, that his 'Place of Honour and Dignity, out of Parliament, 'ſhould be reſerved to him. And that if hereafter 'any antient Records ſhould be found in the Tower 'of *London*, or elſewhere, proving the ſaid pre-'eminent Place in Parliament to belong to the ſaid 'Earl, that then the ſaid Seat ſhould be reſtored 'unto him, notwithſtanding this preſent Decree 'againſt it[b].'

In the whole Courſe of the Proceedings of this Parliament we meet with nothing worth Notice, except that Tonnage and Poundage was granted, and a Subſidy, but not mentioned how much it was. They ſat untill the 5th Day of *April*, when we find, by the *Journal-Book*, that they were prorogued to the 12th of *November* following. The moſt remarkable Statutes that were made at this Seſſion are drawn up by Lord *Herbert* in this Manner: A Subſidy.

[b] By a Note in the *Journal-Book* it appears, that this Earl of *Surrey* took Place on the firſt Day of this Parliament, as fourth Earl, next after the Earl of *Northumberland*. But now he was put down to the laſt but one, *viz.* the Earl of *Worceſter*; and continued ſo ever after, till he was Duke of *Norfolk*.

K. *Henry* VIII. Acts paſſed.

'I ſhall ſet down the Laws enacted in this Parliament, where I find one of their chief Cares was, to put into better Order the former Laws concerning Apparel; which yet was not ſo well digeſted, but that the Year following even the Law itſelf changed Faſhion. Howſoever that of Archery, made before, was not only confirmed, but made perpetual; ſo that, notwithſtanding the Uſe of Caleevers, or Hand-Guns, for Muſkets were not yet known, it was thought fit to continue the Bow. Wherein I cannot but commend the Conſtancy, if not Wiſdom, of thoſe Times; it being certain that, when he that carries the Caleever goes unarmed, the Arrow will have the ſame Effect within its Diſtance that the Bullet, and can again for one Shot return two: Beſides, as they uſed their Halberts with the Bow, they could fall to Execution on the Enemy with great Advantage. I cannot deny yet, but againſt the Pike they were of leſs Force than the Caleevers: Therefore I believe the Meaning of theſe Times was to command it as an Exerciſe to the common People, and for the reſt reſerve it for thoſe Occaſions where they might be of Uſe. Howſoever, Hand-Guns and Croſs-Bows were forbidden, under certain Penalties, to all Men that had leſs than 500 Marks *per Ann.* [c]. The Wages for Artificers were alſo ſettled, and the Price of Watermen. A Penalty alſo was impoſed on thoſe who changed Tillage into Paſture. And very good Order taken concerning Deceit in Cloth, as being the only Cauſe they had not ſo good Vent abroad. The Commiſſion of Sewers extending to the making up of the Sea-Walls, *&c.* in *England*, the Marches of *Calais*, *Guiſnes*, and *Hames*, begun 6 *Henry* VI. and continued 4 *Henry* VII. for twenty-five Years, being now upon Expiration, was continued alſo for ten Years more. It was commanded alſo that the River of *Canterbury* ſhould be deepned. It was provided alſo, that Wooll ſhould not be carried beyond Sea; which was to the Benefit of the

[c] The Statute ſays 300 Marks *per Annum*, Anno 6 *Hen.* VIII. cap. xii.

the Clothiers [d]. No second Letters Patent also might be taken without mentioning the first, which was very equal both for the King and Subject. And because divers now, being weary with sitting so long in Parliament, did depart home without Licence, they only remaining who factiously combined themselves, with Intention to gain the major Part of Voices in any Thing they desired to obtain, it was ordered they should lose their Wages, if they went without the Leave of the Speaker and Commons' House, to be entered in the Book of the Clerk of Parliament.' K. *Henry* VIII.

Orders relating to the Wages of the Commons.

These Wages have been so often mentioned in this Work, that it may be proper here to give some Account of them; especially since now they are grown so obsolete, and the Custom so varied, that most of our present Members pay largely for their Places in the House, instead of being paid by their Constituents for their Trouble. The Wages were levied by the Sheriffs, and the most antient Writs for Knights' Wages, extant, are the 28th, 29th, and 32d of *Edward* I [e]. The first Statute concerning them is of the 12th of *Richard* II. viz. *That the levying of the Knights' Expences shall be as hath been used before this Time.* The Wages in the Time of *Edward* IV. were 4 *s.* a Day for Knights of the Shire, and 2 *s.* at least for Burgesses; besides the Charges of going and coming, Fees for Writs, *&c.* [f]

[d] This Act has been often revived, by reason of its great Importance; and yet even now an effectual Means is wanting to prevent the clandestine Exportation of Wooll.

[e] See Vol. I. *passim*.

[f] *Ult. Die* Sept. *An.* 2 Edw. *Quarti*, it was ordained and agreed, by the Assent of the Council of the City of *York*, 'That for als mykel 'as nowe late some Aldermen being of the Parliaments in Time pas- 'sed have gone to Borde, wheras thay have at all Time before holden 'House for the Worship of the Cite, that fro' hencefurth what Al- 'dermen soever shall go to Parliament, and will hold House, shall 'have for his Costes daily iiii *s.* and if he go to Borde he shall have 'but ii *s.* upon the Day and no more fro' noweforth.' *Drake*'s *Ant. of York*, p. 357. No. 5.

The last Person that received these Wages was *Andrew Marvel*, Esq; Member for the Town of *Hull*. He died in Queen *Anne*'s Time.

K. *Henry* VIII.

Anno Regni 7. 1516.

At *Weſtminſter.*

Nothing having happened in the Government worth Notice, we ſhall proceed to the next Seſſion of this Parliament, which met, according to Prorogation, on the 12th Day of *November*, in the 7th Year of this King. After a Liſt of the Lords Spiritual and Temporal aſſembled at that Time, and, as uſual, ſeveral Proxies allowed for abſent Lords, the *Journal Book* only informs us that the Lord Chancellor, in a Speech, adjourned the Houſe till the next Day.

The firſt Thing we find worth Notice was, that, *Nov.* 15, two Bills were brought into the Upper Houſe by the King's Sollicitor; one concerning Conſpiracies, and the other relating to what Service was due to the King, in his Wars, by thoſe who held Lands in Fee, or Annuities, from the Crown. But tho' it appears by the *Journal*, that the latter of theſe was read three Times by the Lords, paſſed, and ſent down to the Commons, yet it is probable they were both thrown out there; for we do not find that either of them, by the printed Books, were paſſed into Statutes.

On the 17th Day of this Seſſion, *Nov.* 28, the Clerk of the Parliament was commanded by the Lord Cardinal, and other Lords, that he would annex to the Act of Reſumption a certain Proviſion, then brought and ſigned with the King's own Hand, for *George* Earl of *Shrewſbury*; and that he ſhould enter the ſame on the Rolls of Parliament. There was no Act of Reſumption paſſed into a Law this Parliament, that we can find; and this is only mentioned, becauſe it is the firſt Time that the Name of the famous Cardinal *Wolſey* has occured in theſe Inquiries; of whom much more will be ſaid in the Sequel.

No Matters of any Conſequence happened till the 39th Day of their ſitting, *December* 20, when a Bill was brought into the Lords' Houſe, ſigned with the King's own Hand, concerning the Lady *Mary*, as ſhe is there called, Dowager of *France*, the King's Siſter, relating to her Jointure, and which had paſſed the Commons. This Bill was

read

read by the Lords three Times in one Day, and assented to; but of what further Concern it was, neither History nor the Statute-Books inform us. The King's two Sisters, *Margaret* and this *Mary*, who had been married to the Kings of *Scotland* and *France*, had each of them left a Husband; but they quickly got their Loss repaired by marrying very soon after, the former to *Archibald Douglas*, Earl of *Angus*, and *Mary* to *Charles Brandon*, Duke of *Suffolk*. This last Princess must have been an immense Fortune to the Duke, for Lord *Herbert* [s] assures us that she brought with her into *England*, in Jewels, Plate, and Tapestry, to the Value of 200,000 Crowns, besides a Jointure of 60,000 Crowns yearly; for the Payment of which the abovesaid Provision was probably made by Parliament. K. *Henry* VIII.

Another *Item*, in the *Journal* of this Day, is also somewhat remarkable, *viz.* 'That it being *Thurs-* 'day in the Afternoon, and the Vigil of St. *Thomas* 'the Apostle, it was ordered, That every Lord 'who was at that Time absent should pay Ten 'Pounds.'

The next Day, it is said that a Bill was brought into the House of Lords, concerning a Subsidy to be granted to the King; that it was read the first Time, and then ordered to be carried to the Commons by the Lord-Chancellor: But what this Subsidy was, or whether it passed the Lower House or not, is uncertain.

On the 22d of *December* a Bill for a general Pardon from the King was passed, with nine Exceptions contained in it: And the same Day the Lord-Chancellor sent for the Commons into the House of Lords; and, after giving them Thanks for their speedy and hearty Dispatch of Business for the Public Good, he exhorted both Lords and Commons to take Care that the Laws and Statutes, in this Case provided, be well and regularly kept and observed in the several Parts of the Kingdom where

An Act for a general Pardon.

[s] Lord *Herbert*, p. 22, 23.

K. *Henry* VIII. where they dwelt; and then, by the King's Command, diſſolved this Parliament.

This is the whole of what we think is material enough to extract from the *Journals*, relating to the Proceedings of this Parliament; except one Thing more, and which is put down in the Beginning of the *Journal*, when the Speaker of the Houſe of Commons was preſented to the King, but is what may be better poſtponed to the End of it. It contains a very high Character of *Thomas Nevile*, Eſq; who is here ſaid to be Brother to the Lord *Bergavenny*, and was choſen Speaker to the Houſe of Commons. This Gentleman is much commended for his diſcreet, diligent, and prudent Management of his Office; inſomuch that the King thought proper, in full Parliament, to honour him with the Enſigns and Dignity of a Knight of the Garter. An Honour, adds the *Record*, which was never conferred in this Manner, in any former Age, on any Man whatſoever [h].

Acts paſſed.

The moſt remarkable Acts paſſed in this Seſſion of Parliament were theſe: 'An Act to prevent Tillage from being turned into Paſture. A Repeal of Licences granted to Strangers, for bringing in of *Gaſcoign* or *Guienne* Wines, or *Thouloufe* Woad; which added much to the Increaſe of our own Shipping. A Time was ſtated, without which all Motions, Bills, Suits, Indictments, or Informations popular, ſhall be ſued either for the King or Party; and this ſettled a great deal of Quietneſs. The Act concerning the Wages of Labourers, made in the preceding Year, was alſo repealed, becauſe it concerned certain Labourers in *London* [i].

It was full ſeven Years after the Diſſolution of the laſt before another Parliament was called; the Government, we may well ſuppoſe, not wanting Aſſiſtance from that collective Body during all this Time. The Book of printed *Statutes* and *Dugdale*'s *Summons*

[h] *Quod Nemini Mortalium, per ulla ante Secula, contigiſſe audivimus.*

[i] Lord *Herbert*, p. 24. *Statutes at large* 7 Henry VIII.

Summons to Parliament both inform us, That it was not till the 14th Year of this King that a Parliament was again ſummoned, to meet at the *Black-Friers* in *London*, on the 15th Day of *April:* But there is a much greater *Hiatus* in the *Journal-Book* of the Lords; for on a backſide Page of it is wrote, 'That from this Book, which endeth in the 7th of 'Henry VIII. there is no Book extant amongſt 'the *Records* untill the 25th Year of this King; 'nor any *Journal-Book* remaining in the Cuſtody 'of the Clerk of Parliament:' So that we are intirely left in the Dark, as to this Teſtimony, for that Time. K. *Henry* VIII.

But we muſt not omit a remarkable Paſſage inſerted in the *Journal-Book*, at the Concluſion of the laſt Parliament, becauſe it is the firſt Hint, or Step taken towards the enſuing Reformation, which we have yet met with, and is to this Purport: 'This Parliament was diſſolved and ended on the '22d of *December*, 1515. *John Taylor*, Doctor 'of Laws [k], being Clerk of this Parliament, and 'at the ſame Time, which ſeldom happens, Pro-'locutor to the Lower Houſe of Convocation. Se-'veral dangerous Seditions now aroſe, both in the 'Parliament and Convocation, between Eccleſia-'ſtical and Secular Powers, about Church Liber-'ties; a certain Frier-Minor, called *Standiſh*, be-'ing the principal Contriver and Inſtigator of all 'theſe Miſchiefs [l].'

During this long Interval, *Henry* ſeems to be learning how to live without Parliaments: And, truſting

[k] He is called in the *Record*, *Juris Pontificii Doctor*.

[l] *Quodam Fratre Minore*, *nomine* Standiſh, *omnium Malorum Miniſtro ac Stimulatore*.

This Man's Name was *Henry Standiſh*, Doctor of Divinity, Warden of the Friers *Mendicants* in *London*, and one of the King's Spiritual Council. He oppoſed the whole Body of the Clergy in a long Diſpute on this Queſtion, *Whether the trying of Clerks, in Criminal Cauſes, before Temporal Judges, be directly contrary to the Law of God and the Liberties of Holy Church?* See the whole Proceeding in *Collier*'s *Eccleſiaſtical Hiſtory*, Vol. II. p. 4. *&c.* And in *Grove*'s *Life of Cardinal Wolſey*, 8vo. *London* 1743, Vol. II. p. 320, *&c.*

This *John Taylor*, who has added this Note in the *Journals*, ſomewhat maliciouſly, was one of his Opponents in the Diſpute.

K. *Henry* VIII. trusting all to the Management of his Prime Minister, Cardinal *Wolsey* he passed his Time in a profound Peace; indulging himself more in sensual Delights than was consistent with Councils and State Intrigues; not regarding the old Maxim,

Non bene conveniunt, nec in una Sede morantur
Majestas et Amor, ——

About the Year 1520, *Martin Luther*, a Frier *Eremite*, first began his Attacks upon the Papal Power, against whom our King *Henry* entered the Lists, and wrote a learned Treatise in Defence of that Authority, which he afterwards thought necessary to extirpate out of *England*. The Holy Father was not backward in recompensing so extraordinary a Champion for the *Roman* See, but bestowed the Title of FIDEI DEFENSOR on the King; which neither the Pope nor his Successors could to this Day abrogate from the Crown of *England*, notwithstanding the Schism, and the many Papal Bulls denounced for that Purpose.

The King writes a Book against *Luther*.

Arbitrary Means of raising Money during an Interval of seven Years without calling a Parliament.

Lord *Herbert* observes, That, during this Time, some unprecedented Ways had been made Use of to raise Money on the Subject. Orders were sent to all the Sheriffs to send Lists of every Person's Names above sixteen Years of Age; with an exact Account of what each was worth in Land, Stock, Moveables, and Money. This was no less than a general Survey of the whole Kingdom, agreeable to what was formerly done by *William* the Conqueror[m]. A general Loan succeeded, of one Tenth from Laymen, and a Fourth from the Clergy, according to the true Value of their Estates; besides borrowing 20,000 *l.* from the City of *London*. This general Loan gave great Discontent to the whole Kingdom; and every one blamed the Cardinal as the Author of it: And he judging that, if raised with Rigour, like a Tax imposed by Parliament, it might stir up a Commotion not easy to be settled, gave Orders to levy it so gently, that it caused a great Miscount in his Calculation. Finding, therefore, this Method to fail, or at least having

[m] See the Note (8) in *Tindal*'s Notes on *Rapin*, Fol. Ed. p. 759.

having resolved to determine it in Parliament, the King summoned one to meet on the 15th of *April*, 1523, at the *Black Friers* [n], in *London*. The Cardinal Minister also having greatly embarrassed the *English* Affairs at that Time, both with *France* and *Scotland*, there seemed a Necessity to declare War against one or both these Powers. K. *Henry* VIII.

At the Time appointed, *April* 15, *J. Stowe* writes, That the King being seated on the Throne in the Parliament-Chamber, at his Feet, on the Right Side, sat the Cardinal of *York* and the Archbishop of *Canterbury*; and at the Rail behind, stood Dr. *Tunstal*, Bishop of *London*, who made an eloquent Oration to the Parliament, on the Office of a King, to this Effect [o]: Anno Regni 14. 1523. At *London*.

He *first* said, 'That a King must be a Man of 'Judgment, according to the Saying of the Prophet '*David*, *Deus Judicium Regi da*, *&c.* And that he 'must also be a Man of great Learning, according 'to this Text, *Erudimini qui judicatis Terram.* 'According to this Saying of the Prophet, he added, That God had sent them a Prince of great 'Judgment, great Learning, and great Experience; 'who, according to his Princely Duty, forgot not 'to study how to put forward every Thing that 'might be profitable to his People and Realm: 'Lest this Saying of *Seneca* might be laid to his 'Charge, *Es Rex*, *et non habes Tempus esse Rex? 'Art thou a King*, *and hast not Time to be a King?* 'Which is as much as to say, Art thou a King, 'and dost nothing profitable to thy People? Art 'thou a King, and will not provide a Remedy for 'the Diseases of the Commonwealth? For this 'Cause, adds the Orator, the King hath called this 'Parliament, both for remedying the Mischiefs that 'are in the Common Law, as Recoveries, foreign 'Vouchers, corrupt Trials; as also for making and 'ordering new Statutes, which may be to the great 'Advantage of the Commonwealth. The Lord-Chancellor's Speech.

Lastly,

[n] *Apud Fratres Prædicatores*, London. *Dugdale's Summons to Parliament*, Anno 14 *Hen.* VIII.

[o] *Hollingshead's Chronicle*, p. 876. *Stowe's Chronicle*, p. 519.

K. *Henry* VIII. *Laſtly*, 'He willed the Commons to repair to 'their own Houſe to elect a Speaker, and certify it 'to the Lord-Chancellor, who would acquaint 'them when his Majeſty would have him preſent-'ed before him.'

Sir THO. MORE, elected Speaker. Accordingly the Commons choſe for their Speaker, Sir *Thomas More*, Knt. who, being preſented for that Purpoſe, pleaded his Diſabilities as uſual; and in his Speech brought in a Story of *Phormio*, the Philoſopher, who deſired *Hannibal* to come to his Lectures, which when he conſented to and came, *Phormio* began to read *De Re Militari*, of Chivalry; that as ſoon as *Hannibal* heard this, he called the Philoſopher an arrogant Fool, to preſume to teach him, who was already Maſter of Chivalry and all the Arts of War; 'So, ſays Sir *Thomas*, if 'I ſhould preſume to ſpeak, before his Majeſty, of 'Learning, and the well-ordering of the Govern-'ment, or ſuch like Matters, the King, who is ſo 'deeply learned, ſuch a Maſter of Prudence and 'Experience, might ſay to me as *Hannibal* to *Phor-'mio*.' Wherefore he humbly beſought his Majeſty to order the Commons to chuſe another Speaker.

To this Piece of antient, and ſtill affected, Modeſty in the Speaker, the Cardinal, as Chancellor, replied, 'That his Majeſty, by long Experience of 'his Service, was well acquainted with his Wit, 'Learning, and Diſcretion; and that therefore he 'thought the Commons had choſe the fitteſt Per-'ſon of them all to be their Speaker.' Who then made the uſual Proteſtation and was admitted.

Tho' it is ſaid in the Declaration, at the Opening of this Seſſion, that the amending the old Laws and making new ones was the only Occaſion of the Summons; yet Hiſtory informs us, that the Neceſſities of the State for Money was the real Motive for calling this Parliament.

In making this Demand, the Cardinal thought proper that the Spirituality ſhould lead the Van in granting the Subſidy. Accordingly the Biſhops and Clergy, with ſome little Oppoſition, taxed themſelves

themſelves to the one Half of their Revenues Spiri- K. *Henry* VIII.
tual, to be paid in five Years following.

After this the Miniſter, fearing ſome Oppoſition to his Demands in the Houſe of Commons, propoſed to go there himſelf, and give his Reaſons why the Subſidy ſhould be granted. We are told that this new Way of making a Demand was much debated in the Houſe; and if they did admit the Cardinal, whether it ſhould be with a few Followers only, or with his whole Train. The Majority was for the former; but the Speaker, Sir *Thomas More*, gave his Opinion on the Queſtion in theſe Words [p]:

Cardinal *Wolſey*, Prime Miniſter, goes to the Houſe of Commons to haſten the Supply.

'Maiſters, for as much as my Lord Cardinal, late-'ly, as yee woote well, layde to our Charge the 'Lightneſs of our Toungs for Thinges uttered 'out of this Houſe, it ſhould not in my Minde be 'amiſſe to receave him with all his Pompe; with 'his Maces, his Pillars, his Pole-Axes, his Croſs, 'his Hatte, and the Great Seale too; to the Intent, 'that if he finde the like Faulte with us, then we 'may lay the Blame upon thoſe whome his Grace 'bringeth with him.' This was agreed to, and the Cardinal, in the Manner aforeſaid, went into the Houſe, and there, in a long and eloquent Oration to them, 'He charged *Francis* the *French* 'King with Breach of Faith, in falſifying the 'League ſworn to for the general Peace of Chri-'ſtendom: Beſides his Neglect of the ſtipulated 'Annuity for *Tournay*, and ſome other Matters. 'Inſomuch, that the King could do no other, in 'this public Cauſe, than join with *Charles* the 'Emperor in a War againſt him: That the Charge 'thereof had been eſtimated, and amounted to '800,000*l.* Therefore he required that the above-'ſaid Sum ſhould be raiſed out of the fifth Part of 'every Man's Goods and Lands, to be paid in 'four Years.'

The Author of the Life of Sir *Thomas More* tells us, That the Houſe were ſilent to this Demand, contrary to the Miniſter's Expectation; and when

[p] From the Life of Sir *Thomas More*, by his Great Grandſon *Thomas More*, Eſq; *London*, 8vo, 1726; p. 51.

K. *Henry* VIII. when he demanded ſome reaſonable Anſwer, every Member held his Peace. At laſt, the Speaker falling on his Knees, with much Reverence, 'Excuſed the Silence of the Houſe; abaſhed, as he 'ſaid, at the Sight of ſo noble a Perſonage, who 'was able to amaze the wiſeſt and moſt learned 'Men in the Realm. But with many probable 'Arguments he endeavoured to ſhew the Cardinal, 'that his Manner of coming thither was neither 'expedient, nor agreeable to the antient Liberties 'of that Houſe.' And, in Concluſion, told him, 'That except all the Members preſent could put 'their ſeveral Thoughts into his Head, he, alone, 'was unable, in ſo weighty a Matter, to give his 'Grace a ſufficient Anſwer.' Whereupon, adds our Authority, the Cardinal, diſpleaſed with the Speaker, ſuddenly roſe up in a Rage and departed [q].

Our Author may be ſuſpected here of a little Partiality to his truly great Anceſtor; ſince, we are told by Lord *Herbert*, that Sir *Thomas* did temporize ſomewhat with the Court at that Time. For the next Day, ſays the Noble Hiſtorian, Sir *Thomas More*, Speaker of the Houſe of Commons, enforced the Cardinal's Arguments, by endeavouring to demonſtrate, 'That it was not a great deal, on this 'Occaſion, to pay four Shillings in the Pound.' To this he was anſwered, 'That tho' ſome Men 'were well monied, yet, in general, it was known 'that the fifth Part of Men's Goods was not in 'Plate or Money, but in Stock and Cattle; and 'that to pay away all their Coin would alter the 'whole Frame and Intercourſe of Things. For if 'Tenants come to pay their Landlords in Corn and 'Cattle only, and the Landlords again could not 'put them off from paying theſe Things they had 'no

Debate thereupon.

[q] Afterwards, in the Cardinal's Gallery at *Whitehall*, the Miniſter ſaid to him, 'I would to God you had been at *Rome*, Sir 'Thomas, when I made you Speaker.' Your Grace not offended, 'ſo I would too, my Lord, replied Sir *Thomas*, for then I ſhould 'have ſeen the Place I long have deſired to viſit, &c. Sir *Thomas More*'s *Life*, p. 52.

'no Need of, there would be a Stop in all Traffic and Merchandize, and consequently the Shipping of the Nation must decay; and the Nation itself, for Want of Money, grow, in some Sort, barbarous and ignoble. They were desired to consider that the King had already got of them, by Way of Loan, two Shillings in the Pound, which amounted to 400,000 *l.* and now to have four Shillings, would come to, in the whole, 1,200,000 *l.* which, first and last, is full six Shillings in the Pound, and is almost a third Part of every Man's Goods, and cannot be had, in Coin, in the whole Kingdom. For Proof of this it was alledged, That, supposing 15,000 Parishes in *England*, and each Parish should pay 100 Marks, this would only amount to 1,500,000 Marks, which is but 1,000,000 *l.* And how many Parishes are there in *England*, out of Cities and Towns, one with another, able to spare 100 Marks? It was said, indeed, That there were no less than 40,000 Parish Churches in *England*, whereas it may be proved there are not 13,000 Parishes; then reckon that the whole Sum cannot amount to above 1,000,000 *l.* and the King demanding 800,000 *l.* and he, after this Valuation, having received 400,000 *l.* therefore it was judged impossible to levy the Sum demanded; for if all the Coin should come into the King's Hands, how should Men live?' K. *Henry* VIII.

To these Arguments it was replied by the Courtiers, 'That the Money demanded ought not to be accounted as lost or taken away, but only to be transferred into others Hands of their Kindred or Nation; herein therefore that no more was done than that we see ordinarily in Markets; where, though the Money change Masters, yet every one is accommodated. Howsoever, that no Man ought to refuse unto him that fighteth for the Honour and Safety of his Country so much as will maintain him, since he denies it not even to his Labourer. That those who are employed must have been fed when they staid idle at home,

'and

K. *Henry* VIII. ‘ and yet that they aſked no more now, to give the
‘ uttermoſt Proof of well-deſerving Patriots. How-
‘ beit, you may reply, This will exhauſt the Coin
‘ from the poorer Sort; but, to avoid this Objec-
‘ tion, let the Richer go themſelves. Let them
‘ ſhew, in defending their Country, that they me-
‘ rit the better and greater Parts thereof. Our
‘ King will not deny them this Honour. Or,
‘ when they would deſire to be exempt, and lay the
‘ Burden and Hazard upon others, let them not
‘ grudge yet the giving ſo poor a Stipend as ſome
‘ of their Servants at home would ſcarcely take to
‘ ſtand bare-headed to them. Neither are they to
‘ value themſelves more than others, becauſe they
‘ have larger Poſſeſſions, unleſs they employ it for
‘ the Public Good; ſince, in antient Times, and
‘ even true Reaſon of State, they deſerved not ſo
‘ much who tilled and manured a Country, as they
‘ who defended it. Nor is it well ſaid of you,
‘ when you object that this will carry the Money
‘ out of *England*, and leave it in *France*; for doth
‘ it not carry the Men too, and ſo, in Effect, prove
‘ but the ſame Expence? Notwithſtanding, if you
‘ be ſo obſtinate as to believe that making War
‘ in a Country brings Money to it, do but con-
‘ ceive a while that the *French* had invaded us;
‘ would the Money they brought over, think you,
‘ enrich our Country? Should any of us be the
‘ better for it? Let us therefore lay aſide thoſe
‘ poor Scruples, and do what may be worthy the
‘ Dignity and Honour of our Nation. When you
‘ did conceive the worſt that can fall out, you
‘ ſhould yet eat your Beef and Mutton here, and
‘ wear your Country Cloth; while others, upon
‘ a ſhort Allowance, fought only that you might
‘ enjoy your Families and Liberty. But I ſay con-
‘ fidently you need not fear this Penury or Scarce-
‘ neſs of Money, the Intercourſe of Things being
‘ ſo eſtabliſhed throughout the whole World, that
‘ there is a perpetual Derivation of all that can be
‘ neceſſary to Mankind. Thus your Commodi-
‘ ties will ever find out Money; while, not to go
‘ far,

'far, I shall produce our own Merchants only, K. *Henry* VIII.
'who, let me assure you, will be always as glad of
'your Corn and Cattle, as you can be of any
'Thing they bring you. Let us therefore, in
'God's Name, do what becomes us; and, for the
'rest, entertain so good an Opinion of our Sol-
'diers, as to believe that, instead of leaving our
'Country bare, they will add new Provinces to it;
'or, at least, bring rich Spoils and Triumphs home.

At last, after much Debate and Contention, it was agreed by the Commons, 'That every Man of Estate of 20 *l.* yearly and upwards, should pay two Shillings in the Pound; and from 20 *l.* a Year downwards to 40 *s.* one Shilling in the Pound; and under 40 *s.* every Head of sixteen Years old or more should pay 4 *d.* in two Years. The Cardinal hearing no more was intended, seemed much troubled; and therefore, coming to the Lower House of Parliament, he told them, That he desired to reason with those who opposed his Demands; but being answered, That it was the Order of that House to hear, and not to reason, but amongst themselves, the Cardinal departed. Yet, by the liberal Motion of some of the Lower House, those of 50 *l.* Land and upwards were induced to give 1 *s.* more, being 3 *s.* in the Pound, for three Years to come; which at length being continued to the fourth Year, and extended to those who were worth 50 *l.* in Goods, was all that could be obtained.' A Subsidy granted.

We have chose to give this Account in Lord *Herbert*'s own Words, as it is chiefly extracted from *Hall*'s *Chronicle*, a contemporary Historian of those Times [r]. But since we think that he hath curtailed his Author too much, we shall add, from the Chronicle itself, what is omitted.

Hall writes, 'That it was one Sir *John Husee*, a *Lincolnshire* Knight, who, to please the Cardinal, first made the Motion in the House of Commons, for 12 *d.* in the Pound on Land, upon all those who were worth 50 *l.* a Year and upwards; to be paid

[r] *Chronicle*, Fol. x, *Henry* VIII.

K. *Henry* VIII. in three Years. That, on the Question's being put, ten or twelve Gentlemen said *Yea*; and on the Negative's being asked, not one *Nay* was heard: For, adds he, the Commons would not condemn nor hinder the landed Men from charging themselves; so that by ten or twelve Persons the Gentlemen were burdened with 12 *d.* more than others, for which the said Sir *John* had much evil Will.

This Grant, our Author says, was passed on the 21st Day of *May*; at which Time, because that *Whitsuntide* was near, the Parliament was adjourned to the 10th of *June*; in the mean while the Members of the House of Commons were taunted publickly with such Sayings as these, by the People, *Sirs, we hear that you say you will grant* 4*s. in the Pound*; *we advise you to do it, that ye may go home with Threats and Curses.*

Cardinal *Wolsey* dissolves the Convocation.

In this Interval the Cardinal, by his Power Legantine, dissolved the Convocation at St. *Paul*'s, which had been called by the Archbishop of *Canterbury*; and summoned him and all his Clergy to his Convocation at *Westminster*; a Thing that had never been done before in *England*. On which Occasion *Skelton*, the Wit of that Age, and Poet Laureat, made this Distich;

Gentle Paul *laie downe thy Sweard,*
For Peter *of* Westminster *hath shaven thy Beard.*

Hall proceeds and tells us, 'That when the Parliament began again, the landed Men, who were charged 12 *d.* in the Pound on 50 *l.* a Year and upwards, moved the House, that all such as were worth 50 *l.* a Year, or upwards, in Goods, should pay the same Tax in four Years. This Motion occasioned a great Debate in the House; and, *June* the 22d, the Question was put, and it being doubtful whether the *Yeas* or *Nays* had it, the House divided the Citizens and Burgesses by themselves, and the Knights of Shires on the other Side; the former stiffly affirming, that the Motioners were Enemies to the Realm. At the last the Speaker called them all together, and, after long Persuasion, and tampering by private Means, it was agreed that 12 *d.*

in

in the Pound ſhould be paid in four Years, on 50 *l.* in Goods. K. *Henry* VIII.

A late Writer hath given us an Account of an Affair too remarkable to be omitted, tho' we know no Authority but his own, and *Collins*'s *Britiſh Peerage*, in the Family of *Montague*, for it[s].

It is there ſaid, 'That when *Henry* heard that 'the Commons made a great Difficulty of granting 'the required Supply, he was ſo provoked that he 'ſent for *Edward Montague*, Eſq; [t] one of the 'Members who had no ſmall Influence in the 'Houſe, and he, being introduced to his Majeſty, 'had the Mortification to hear him ſpeak in theſe 'Words, *Ho! Man, will they not ſuffer my Bill* 'to paſs? and laying his Hand on Mr. *Montague*'s 'Head, who was then on his Knees before him, 'ſaid, *Get my Bill paſſed by To-morrow, or elſe To-*'*morrow this Head of yours ſhall be off.*' We are further told that this Cavalier Manner of *Henry*'s ſucceeded; for the very next Day the Bill was paſſed. The King threatens to behead a Member for oppoſing his Meaſures.

This may ſuffice to conclude our hiſtorical Account of this Parliament; for, on *July* 31, it was adjourned to *Weſtminſter*, and there continued untill *Auguſt* 13; when, at Nine o'Clock at Night, it was diſſolved.

The Noble Hiſtorian hath left us an Abſtract of the moſt remarkable Statutes made in this Seſſion of Parliament, which is as follows [u]:

'That our Merchants might have eight Days Preference before Strangers, for buying of broad white Woollen Cloth, brought to *Blackwell-Hall* in *London*; unleſs in Fairs, Ports, Creeks, *&c.* That Strangers uſing a Handicraft ſhould take no Apprentices, nor above two Journeymen, unleſs they were the King's Subjects. That they ſhould be under the Search and Reformation of the War- Acts paſſed.

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[s] The Life and Times of Cardinal *Wolſey* by *J. Grove*. *Octavo*, *Lond.* 1744. Vol. III. p. 250.

[t] Afterwards made Lord Chief Juſtice of *England*, from whom the preſent Duke of *Montague* is deſcended.

[u] See alſo *Statutes at large*, *An.* 14, 15, *Henry* VIII.

K. *Henry* VIII. dens and Fellowſhip of Handicrafts, and one ſubſtantial Stranger, to be choſen by the ſaid Wardens: That they ſhould cauſe a Mark to be put on the Wares and Workmanſhip, to be known thereby: That if they were falſly and deceitfully made, they ſhould be forfeited: That this Proviſion ſhould extend to Strangers living in other Towns than *London*: That if Strangers were wronged, they might ſeek their Remedy from the Lord-Chancellor and Treaſurer of *England*, or the Juſtices of Aſſize in the Counties where they lived: That, during this Parliament, their Apprentices or Journeymen might continue as before, and ſo to endure to the laſt Day of the next Parliament. This Act was not yet to extend to Strangers of *Oxford*, *Cambridge*, and the Sanctuary of St. *Martin's-le-Grand* in *London*. That if the Officers refuſed to put a Mark on the Wares, or Workmanſhip, of Joiners, Blackſmiths, *&c.* being Strangers, that then it was lawful for the Strangers to ſell them without the ſaid Mark: That Lords, and others the King's Subjects, of 100 *l.* yearly, might take and retain Strangers, being Joiners and Glaziers, for their private Service, this Act notwithſtanding. That *Engliſhmen* living under foreign Princes, and being ſworn to them, ſhould pay ſuch Cuſtom to our King, Subſidy and Toll, as other Strangers of thoſe Parts do: And that the Governor of the Merchant-Adventurers, or the King's Ambaſſadors in foreign Countries, ſhall certify their Names to the Chancery, to the Intent that Order may be given therein to the King's Officers in Havens, Ports, and Creeks: Yet if any ſuch *Engliſhman* did return to inhabit here, that then he ſhould be reſtored to all the Liberties of a Subject.'

'A College of Phyſicians, among whom was that famous and learned *Linaker*, Chief Phyſician to the King, was erected, and certain Authorities and Privileges granted to them.

'Moreover, the Statute of 6 *Henry* VIII. 13, forbidding ſhooting in Croſs-Bows or Hand-Guns, was diſpenſed with in Men of 100 *l. per Annum*.

That

That Coiners, who make Money in any Mint in *England*, ſhould coin of every hundred Pounds of Gold, twenty Pound into Half Angels or Pieces of Fortypence; and of every hundred Pounds Worth of Bullion, Plate, or Silver, a certain Portion into Groats, Twopences, Pence, Halfpence, and Farthings; the Farthings to have a Mark different from Halfpence: That they who bring leſs than an hundred Pounds in Bullion or Plate to the Mint, ſhall have the tenth Part thereof in Halfpence and Farthings: That this yet ſhall not extend to the Mint-Maſters of *York*, *Durham*, or *Canterbury*. Concerning which Law it is worth the noting, that tho' it was for the Benefit of the Subject to have ſo much of the ſmalleſt Sort of Coin, yet by reaſon of their Littleneſs it is all worn out. K. *Henry* VIII.

'That they which be in the King's Service in Wars may aliene their Lands, for Performance of their Wills, without any Fine for Alienation: And if any of them die in the King's Service in War, his Feoffees or Executors ſhall have the Wardſhip of his Heir and Lands.

'Another Act of Attainder was paſſed in this Parliament againſt *Edward Stafford*, Duke of *Buckingham*, who had been condemn'd by his Peers, and executed for High Treaſon two Years before. The Cardinal being publickly accuſed of having ſacrificed this Nobleman to his Vengeance, had Intereſt enough to obtain this Act, in order to divert the Odium thrown upon him for it. That this was a meer Piece of Condeſcention in the Parliament, appears pretty evident from another Act paſſed this Seſſion, for reſtoring *Henry Stafford*, Son of the deceaſed Lord, to his Blood; and the King ſoon after, by Letters Patent, granted him Part of the Lands of the ſaid Duke*.

'Alſo an Act paſſed, that the King ſhall, for his Life, have Authority, by his Letters Patent, at his Pleaſure, to reverſe, repeal, and annul, all Attainders of High Treaſon, and to reſtore their Heirs, &c.

* *Dugdale's Baronage*, Vol. I. p. 172.

K. *Henry* VIII. Though we find that a ſufficient Time was allowed for the Payment of the laſt Subſidy, yet the War with both *France* and *Scotland* ſo exhauſted the King's Treaſury, that the very next Year it was required, from all Men worth forty Pounds, that the whole Subſidy, granted as before, payable in four Years, ſhould be anticipated, and brought to the King in one intire Payment. This unprecedented Proceeding gave the Commons of *England* great Diſguſt; and they did not fail, ſays Lord *Herbert*, to impute it all to the Cardinal Miniſter. It was ſo inſupportable to the poorer Sort of Subjects, as another Author writes [y], that the Payment of it was utterly denied to the Collectors, with Weepings, Curſings, and great Exclamations, which almoſt grew to an open Rebellion. The County of *Kent* refuſed it to Lord *Cobham*; *Eſſex* would not ſo much as talk with the Commiſſioners about it; *Huntingdonſhire* did the ſame; *London* would be taxed by none but their Aldermen; and *Suffolk* roſe up in Arms, making Poverty their Captain. The Blame of all fell upon the Cardinal; but he, being now by his Church Dignities rendered almoſt an *Engliſh* Pope, looked down upon their Threats with Contempt, and deſpiſed their Menaces. However, a little Time after they gave this haughty Prelate ſome terrible Reaſons to alter his Opinion.

The Subſidy payable in four Years required in one;

Which occaſions great Clamours.

This Miniſter had been ſo rebuffed by the Houſe of Commons, in his laſt Demand of a Supply, that he was in no Haſte to adviſe the King to call another Parliament: For, as in his Miniſtry, there had been none called for ſeven Years before this laſt, ſo it was ſix or ſeven Years more before another was ſummoned.

Money demanded without Conſent of Parliament; During this Time one of his greateſt Attempts to raiſe Money, without the Help of Parliament, happened in the Year 1526, the 17th of this King; when Commiſſions were ſent into every County in *England*, for levying the ſixth Part of every Lay-man's

[y] *J. Speed's Chronicle*, p. 761.

man's Goods, and the fourth of the Clergy's. This the People resented so much, that it had like to have occasion'd a Rebellion. They alledged, *first*, That these Commissions were against Law; *next*, Their own Poverty; and that the King, since the 14th of his Reign, had received of them twenty Fifteenths: But, as the Noble Historian observes [y], this seemed all to be done without the King's Knowledge; so, when the Consequence of it appeared, it was resolved to disavow the whole Proceeding. And the King sent Letters all over *England*, declaring he would ask nothing of them but by Way of Benevolence; so that the Cardinal, by these Means, got many a Curse, and the King as many Blessings.' K. *Henry* VIII. Which occasions so great murmuring that the King disavows the Project.

In the Year 1528 began the grand Affair of the Divorce between *Henry* VIII. and his Queen *Katherine*. We shall leave a thorough Disquisition of this Matter to Lord *Herbert*, Bishop *Burnet*, and our general Historians of these Times; and shall only collect what an *English* Parliament had to do in this great and memorable Event.

But, before this mighty Matter took Place, it proved the Ruin of the Cardinal; for, being detected of some under-hand Dealing between the Pope and the King, and having managed so ill as to make both Queen *Katherine* and the designed new Sultana, Mrs. *Anne Bullein*, his Enemies [z], he fell first into Disgrace, and afterwards under the Monarch's highest Displeasure. The Cardinal was first indicted in the King's Bench, on the Statute 16 *Rich.* II. concerning *Premunires*, found guilty, and Sentence was passed upon him, 'That he was out of the 'King's Protection; his Lands, Goods, and Chattels The Disgrace of Cardinal *Wolsey*.

[y] Lord *Herbert*.

[z] *Grafton* writes, That *Henry* took his first Hint of the Divorce from a Match which was proposed by the *French* Ambassadors, in his 17th Year, between their young King and the Lady *Mary*, the King's Daughter: But the President at *Paris* demurred to the Match, upon the Question, Whether she was legitimate or not? He adds, that the common People disliked this Proposal; for, since she was Heir to the Crown, they would have no *Frenchman* to be King of *England*. *Grafton*'s *Chron.* p. 1147.

K. *Henry* VIII. ‘ tels forfeited; and that his Perſon might be ſeized ‘ on.’ He was afterwards tried by a Great Council collected for that Purpoſe in the Star-Chamber, where he met with no better Treatment. And, laſtly, the King remitted the whole Affair to a Parliament which began to ſit at *Weſtminſter* [a], *Nov.* 3. 1529.

He is proſecuted in the King's Bench and Star-Chamber.

Anno Regni 20. 1529.

At *Weſtminſter.*

In this, ſays Lord *Herbert*, *Henry* did wiſely; ſince, by intereſting the Public in his Condemnation, he both declined the Cenſure of thoſe who thought the late Proceedings too ſevere, and endeared his People to him, by putting the Power of puniſhing their Enemy into their own Hands.

On the firſt Day of this Parliament's meeting Sir *Thomas More*, now Lord-Chancellor, made an eloquent Oration, ſays *Hall*, to this Effect: ‘ That ‘ like as a good Shepherd, who not only tendeth ‘ and keepeth well his Sheep, but alſo foreſeeth ‘ and provideth againſt every Thing which either ‘ may be hurtful or noiſome to his Flock, or may ‘ preſerve and defend the ſame againſt all Chances ‘ to come; ſo the King, who was the Shepherd, ‘ Ruler, and Governor of this Realm, vigilantly ‘ foreſeeing Things to come, conſidered how divers ‘ Laws, by long Continuance of Time and Mutation of Things, were now grown inſufficient and ‘ imperfect: And alſo that, by the frail Condition ‘ of Man, divers new Enormities were ſprung up ‘ amongſt the People, for the which no Law was ‘ made to reform the ſame, he ſaid, was the very ‘ Cauſe why, at this Time, the King had ſummoned his High Court of Parliament. He reſembled the King to a Shepherd or Herdſman, ‘ alſo, for this Cauſe; if a King is eſteemed only ‘ for his Riches, he is but a rich Man; if for his ‘ Honour, he is but an honourable Man; but com-

Sir *Tho. More*, Lord-Chancellor, his Speech.

‘ pare

[a] This Parliament was firſt ſummoned to the *Black Friers, London*, but was adjourned to *Weſtminſter*. *Pageant*, An. 21 *H.* VIII.

The ſame Author hath given us the whole Order of Proceſſion the King made, from *Bridewell* to *Weſtminſter*, to meet this Parliament; but as a much greater occaſion in the Sequel, it is poſtponed till then. The Fee paid to *Garter* King at Arms, for entering the new Peers and regulating their Seats, was then Twenty Shillings.

'pare him to the Multitude of his People and the 'Number of his Flock, then is he a Ruler, a 'Governor of Might and Power; so that his People 'maketh him a Prince, as of the Multitude of 'Sheep cometh the Name of a Shepherd. And, 'as you see, that, amongst a great Flock of Sheep, 'some be rotten and faulty, which the good Shep-'herd sendeth from the sound Sheep; so the Great 'Weather, which is of late fallen, as you all know, 'juggled with the King so craftily, scabbedly, and 'unruly, that all Men must think that he ima-'gined, himself, that the King had no Sense to 'perceive his crafty Doings, or presumed that he 'would not see or understand his fraudulent Jug-'gling and Attempts. But he was deceived; for 'his Grace's Sight was so quick and penetrable, 'that he not only saw him, but saw through him, 'both within and without, so that he was entirely 'open to him. According to his Desert he hath 'had a gentle Correction; which small Punish-'ment the King would not should be an Example 'to other Offenders; but openly declareth, That 'whosoever, hereafter, shall make the like Attempt, 'or commit the like Offences, shall not escape 'with the like Punishment. K. *Henry* VIII.

'Lastly, the Chancellor said, That because they 'of the House of Commons were a great Number, 'and could not speak all at one Time, therefore 'the King's Pleasure was, that they should resort 'to their own House, and there amongst them-'selves, according to antient Custom, chuse an able 'Person to be their common Mouth, or Speaker; 'and, after they have so done, to advertise his 'Grace thereof, who will declare to them his Plea-'sure what Day he will have him presented in this 'Place.'

On the 6th of *November* the Commons presented *Thomas Audley*, Esq; to the King, as their Speaker, who there made another eloquent Oration, which, says *Hall*, consisted of two Points. The *first* was, 'That he much praised the King for his Equity 'and Justice, mixed with Mercy and Pity; so that 'no

THOMAS AUDLEY, Esq; chosen Speaker.

K. Henry VIII. 'no Offence was forgotten or left unpunished; 'and, in the Punishment, the Extremity or Rigour 'of the Law was not cruelly extended; which 'should be a Cause both to bridle all Men from do-'ing the like Offences, and an Encouragement to 'Offenders to confess their Faults, and occasion 'Amendment and Reconciliation.' To the *second* Point, 'He endeavour'd to disable himself, for want 'of Sense, Learning, and Discretion, for taking so 'high an Office; beseeching the King to cause his 'Commons to resort again to their House, and there 'to chuse another Speaker for that Parliament.'

To this the King replied, by the Mouth of the Chancellor, 'That whereas he sought to disable 'himself in Sense and Learning, his own elaborate 'Discourse, there made, testified to the contrary: 'And, touching his Discretion and other Qualities, 'the King himself had well known him and his 'Doings, since he was in his Service, to be both 'wise and discreet; and so, as an able Man, he 'accepted him, and admitted him Speaker.'

The principal Thing we meet with is, that certain Articles were now preferred against the Cardinal. Lord *Herbert* has copied them from the original Record, which, he says, he has thought fit to transcribe, because our vulgar Chronicles have misrepresented them; and, though many in Number, they must find a Place in these Inquiries [b]:

Articles exhibited in the Parliament against Cardinal Wolsey.

'CONstrained by Necessity of our Fidelity and Consciences, complain and shew to your Royal Majesty, we your Grace's humble, true, faithful, and obedient Subjects, That the Lord Cardinal of *York*, lately your Grace's Chancellor, presuming to take upon him the Authority of the Pope's Legate *de Latere*, hath, by divers and many sundry Ways and Fashions, committed notable, high, and grievous Offences; misusing, altering, and subverting the Order of your Grace's Laws, and otherwise contrary to your high Honour, Prerogative, Crown, Estate, and

[b] *Kennet*, Vol. II. p. 125, &c. *Cabala*, *Sacred Inquiries*, Vol. 89, &c.

and Dignity Royal; to the ineſtimable Damage of your Grace's Subjects of every Degree, and conſequently to the great Hinderance, Diminution, and Decay of the univerſal Wealth of this your Grace's Realm, as it is touched ſummarily and particularly in certain Articles here following; which be but a few in Comparison of all his Enormities, Exceſſes, and Tranſgreſſions committed againſt your Grace's Laws. That is to ſay; K. *Henry* VIII.

Imprimis. 'Where your Grace, and your Noble Progenitors within this your Realm of *England*, being Kings of *England*, have been ſo free, that they have had in all the World no other Sovereign, but immediately ſubject to Almighty God in all Things touching the Regality of your Crown of *England*; and the ſame Preheminence, Prerogative, Juriſdiction, lawful and peaceable Poſſeſſion, your Grace and your Noble Progenitors have had, uſed, and enjoyed without Interruption, or Buſineſs therefore, by the Space of 200 Years and more; whereby your Grace may preſcribe againſt the Pope's Holineſs, that he ſhould not, nor ought to, ſend, or make, any Legate to execute any Authority Legantine, contrary to your Grace's Prerogative within this your Realm. Now the Lord Cardinal of *York* being your Subject, and natural Liege-born, hath, of his high, orgillous [c], and inſatiable Mind, for his own ſingular Advancement and Profit, in Derogation, and to the great Inblemiſhment and Hurt of your ſaid Royal Juriſdiction and Prerogative, and the large Continuance of the Poſſeſſion of the ſame, obtained Authority Legantine; by reaſon whereof he hath not only hurt your ſaid Preſcription, but alſo, by the ſaid Authority Legantine, hath ſpoiled and taken away from many Houſes of Religion in this your Realm much Subſtance of their Goods; and alſo hath uſurped upon all your Ordinaries, within this your Realm, much Part of their Juriſdiction, in Derogation of your Prerogative, and to the great Hurt of your ſaid Ordinaries, Prelates, and Religious.

II.

[c] Haughty, arrogant, preſumptuous. *Shakeſpear.*

K. *Henry* VIII.

II. 'Alſo the ſaid Lord Cardinal, being your Ambaſſador in *France*, made a Treaty with the *French* King for the Pope, your Majeſty not knowing any Part thereof, nor named in the ſame; and binding the ſaid *French* King to abide his Order and Award, if any Controverſy or Doubt ſhould ariſe upon the ſame betwixt the ſaid Pope and the *French* King.

III. 'Alſo the ſaid Lord Cardinal, being your Ambaſſador in *France*, ſent a Commiſſion to Sir *Gregory de Caſalis*, under your Great Seal, in your Grace's Name, to conclude a Treaty of Amity with the Duke of *Ferrara*, without any Command or Warrant of your Highneſs, nor your ſaid Highneſs advertiſed or made privy to the ſame.

IV. 'Alſo the ſaid Lord Cardinal, of his preſumptuous Mind, in divers and many of his Letters and Inſtructions ſent out of this Realm to outward Parts, had joined himſelf with your Grace, as in ſaying and writing in his ſaid Letters and Inſtructions, *The King and I*. And, *I would ye ſhould do thus*. *The King and I give unto you our hearty Thanks*. Whereby it is apparent, that he uſed himſelf more like a Fellow to your Highneſs than like a Subject.

V. 'Alſo, whereas it hath ever been accuſtomed within this your Realm, that when Noblemen do ſwear their Houſhold-Servants, the firſt Part of their Oath hath been, That they ſhould be true Liegemen to the King, and his Heirs Kings of *England*; the ſame Lord Cardinal cauſed his Servants to be only ſworn to him, as if there had been no Sovereign above him.

VI. 'And alſo, whereas your Grace is our Sovereign Lord and Head, in whom ſtandeth all the Surety and Wealth of this Realm, the ſame Lord Cardinal, knowing himſelf to have the foul and contagious Diſeaſe of the Great Pox broken out upon him in divers Places of his Body, came daily to your Grace, rowning in your Ear, and blowing upon your moſt Noble Grace with his perilous and infective

fective Breath, to the marvellous Danger of your Highneſs, if God of his infinite Goodneſs had not better provided for your Highneſs. And, when he was once healed of them, he made your Grace to believe that his Diſeaſe was an Impoſthume in his Head, and of none other Thing. K. Henry VIII.

VII. 'Alſo the ſaid Lord Cardinal, by his Authority Legantine, hath given, by Prevention, the Benefices of divers Perſons, as well Spiritual as Temporal, contrary to your Crown and Dignity, and your Laws and Eſtatutes therefore provided, by reaſon whereof he is in Danger to your Grace of Forfeiture of his Lands and Goods, and his Body at your Pleaſure.

VIII. 'Alſo the ſaid Lord Cardinal, taking upon him otherwiſe than a true Counſellor ought to do, hath uſed to have all Ambaſſadors to come firſt to him alone, and ſo hearing their Charges and Intents, it is to be thought he hath inſtructed them after his Pleaſure and Purpoſe, before that they came to your Preſence; contrary to your high Commandment by your Grace's Mouth to him given, and alſo to other Perſons ſent to him by your Grace.

IX. 'Alſo the ſaid Lord Cardinal hath practiſed ſo, that all Manner of Letters ſent from beyond the Sea to your Highneſs have come firſt to his Hands, contrary to your high Commandment by your own Mouth, and alſo by others ſent to him by your Grace; by reaſon whereof your Highneſs, nor any of your Council, had Knowledge of no Matters, but ſuch as it pleaſed him to ſhew them; whereby your Highneſs and your Council have been compelled, of very Force, to follow his Devices, which oftentimes were ſet forth by him under ſuch crafty and covert Means, that your Highneſs and your Council hath oftentimes been abuſed; inſomuch, that when your Council have found, and put, divers Doubts and Things which have afterwards enſued, he, to abuſe them, uſed theſe Words, *I will lay my Head that no ſuch Thing ſhall happen.*

X. 'Alſo

K. *Henry* VIII.

X. ‘ Alſo the ſaid Lord Cardinal hath practiſed that no Manner of Perſon, having Charge to make Eſpiall of Things done beyond the Sea, ſhould at their Return come firſt to your Grace, nor to any other of your Council, but only to himſelf; and in Caſe they did the contrary, he puniſhed them for ſo doing.

XI. ‘ Alſo the ſaid Lord Cardinal hath granted Licence under your Great Seal for carrying out of Grain and other Victual, after the Reſtraint hath been made thereof, for his own Lucre, and ſingular Advantage of him and his Servants, for to ſend thither as he bare ſecret Favour, without your Grace's Warrant or Knowledge thereof.

XII. ‘ Alſo the ſaid Lord Cardinal uſed, many Years together, not only to write unto all your Ambaſſadors reſident with other Princes, in his own Name, all Advertiſements concerning your Grace's Affairs being in their Charge, and in the ſame his Letters wrote many Things of his own Mind, without your Grace's Pleaſure being known, concealing divers Things which had been neceſſary for them to know, but alſo cauſed them to write their Advertiſements unto him; and of the ſame Letters he uſed to conceal, for the compaſſing of his Purpoſes, many Things, both from all your other Counſellors, and from yourſelf alſo.

XIII. ‘ Alſo where good Hoſpitality hath been uſed to be kept in Houſes and Places of Religion of this Realm, and many poor People thereby relieved, the ſaid Hoſpitality and Relief is now decayed, and not uſed; and it is commonly reported that the Occaſion thereof is, becauſe the ſaid Lord Cardinal hath taken ſuch Impoſitions of the Rulers of the ſaid Houſes, as well for his Favour in making of Abbots and Priors, as for his Viſitation, by his Authority Legantine; and yet, nevertheleſs, taketh yearly, of ſuch Religious Houſes, ſuch yearly and continual Charges as they be not able to keep Hoſpitality as they uſed to do; which is a great Cauſe that there be ſo many Vagabonds, Beggars, and Thieves.

‘ XIV.

XIV. ‘ Alſo where the ſaid Lord Cardinal ſaid, before the Suppreſſion of ſuch Houſes as he hath ſuppreſſed, that the Poſſeſſions of them ſhould be ſet to Farm among your Lay-Subjects, after ſuch reaſonable yearly Rent, as they ſhould well thereupon live and keep good Hoſpitality: And now the demeſne Poſſeſſions of the ſaid Houſes, ſince the Suppreſſion of them, hath been ſurveyed, met, and meaſured by the Acre, and be now ſet above the Value of the old Rent: And alſo ſuch as were Farmers by Covent-Seat and Copy-Holders be put out and amoved of their Farms, or elſe compelled to pay new Fines, contrary to all Equity and Conſcience. K. *Henry* VIII.

XV. ‘ Alſo the ſaid Lord Cardinal, ſitting among the Lords, and other of your moſt Honourable Council, uſed himſelf that if any Man would ſhew his Mind according to his Duty, contrary to the Opinion of the ſaid Cardinal, he would ſo take him up with his accuſtomable Words, that they were better to hold their Peace than to ſpeak, ſo that he would hear no Man ſpeak but one or two great Perſonages, ſo that he would have all the Words himſelf, and conſumed much Time with a fair Tale.

XVI. ‘ Alſo the ſaid Lord Cardinal, by his Ambition and Pride, hath hindered and undone many of your poor Subjects for Want of Diſpatchment of Matters; for he would no Man ſhould meddle but himſelf. Inſomuch, that it hath been affirmed by many wiſe Men, that ten of the moſt wiſe and moſt expert Men in *England* were not ſufficient, in convenient Time, to order the Matters that he would retain to himſelf: And many Times he deferred the ending of Matters, becauſe that Suitors ſhould attend and wait upon him; whereof he had no ſmall Pleaſure that his Houſe might be repleniſh'd with Suitors.

XVII. ‘ Alſo the ſaid Lord Cardinal, by his Authority Legantine, hath uſed, if any Spiritual Man having any Riches or Subſtance, deceaſed, he hath taken their Goods as his own; by reaſon whereof their Wills be not performed; and one Mean he had to put them in Fear that were made Executors to refuſe to meddle.

‘ XVIII.

K. *Henry* VIII.

XVIII. 'Also the said Lord Cardinal constrained all Ordinaries in *England* yearly to compound with him, or else he will usurp Half or the Whole of their Jurisdiction by Prevention, not for good Order of the Diocese, but to extort Treasure; for there is never a poor Arch-Deacon in *England*, but that he paid yearly to him a Portion of his Living.

XIX. 'Also the said Lord Cardinal hath not only, by his untrue Suggestion to the Pope, shamefully slandered many good Religious Houses, and good virtuous Men dwelling in them, but also suppressed, by reason thereof, above thirty Houses of Religion; and where, by Authority of his Bull, he should not suppress any House that had more Men of Religion in Number above the Number of six or seven, he hath suppressed divers Houses that had above the Number; and thereupon hath caused divers Offices to be found by Verdict, untruly, that the religious Persons, so suppressed, had voluntarily forsaken their said Houses, which was untrue; and so hath caused open Perjury to be committed, to the high Displeasure of Almighty God.

XX. 'Also the said Lord Cardinal hath examined divers and many Matters in the Chancery, after Judgment thereof given at the Common Law, in Subversion of your Laws; and made some Persons restore again to the other Party condemned, what they had in Execution by Virtue of the Judgment in the Common Law.

XXI. 'Also the said Lord Cardinal hath granted many Injunctions by Writ, and the Parties never call'd thereunto, nor Bill put in against them. And, by reason thereof, divers of your Subjects have been put from their lawful Possession of their Lands and Tenements. And, by such Means, he hath also brought the more Party of the Suitors of this your Realm before himself, whereby he and divers of his Servants have gotten much Riches, and your Subjects suffered great Wrongs.

XXII. 'Also the said Lord Cardinal, to augment his great Riches, hath caused divers Pardons granted by the Pope to be suspended, which could not

not be revived till that the said Lord Cardinal were rewarded, and also have a yearly Pension of the said Pardon. K. Henry VIII.

XXIII. 'Also the said Lord Cardinal, not regarding your Laws nor Justice, of his extort Power, hath put out divers and many Farmers of his Lands, and also Patents of the Archbishopric of *York*, and Bishopric of *Winchester*, and of the Abbey of *St. Alban's*, which had good and sufficient Grant thereof by your Laws.

XXIV. 'Also the same Lord Cardinal, at many Times, when any Houses of Religion have been void, he hath sent his Officers thither, and, with crafty Persuasions, hath induced them to compromit their Election in him: And that, before ever he named or confirmed any of them, he and his Servants received so much great Goods of them, that in Manner it hath been to the undoing of the House.

XXV. 'Also, by his Authority Legantine, the same Lord Cardinal hath visited the most Part of the Religious Houses and Colleges in this your Realm, hath taken of them the twenty-fifth Part of their Livelihood; to the great Extortion of your Subjects, and Derogation of your Laws and Prerogative, and no Law to bear him so to do.

XXVI. 'Also, when Matters have been near at Judgment by Process at your Common Law, the same Lord Cardinal hath not only given and sent Injunctions to the Parties, but also sent for your Judges, and expressly, by Threats, commanding them to defer the Judgment; to the evident Subversion of your Laws, if the Judges would so have ceased.

XXVII. 'Also, whereas neither the Bishopric of *York*, nor *Winchester*, nor the Abbey of *St. Alban's*, nor the Profit of his Legation, nor the Benefit of the Chancery, nor his great Pension out of *France*, nor his Wards, and other inordinate Taking, could not suffice him, he hath made his Son *Winter* to spend 2,700 *l.* by Year, which he taketh to his own Use, and giveth him not past 200 *l.* yearly to live upon.

K. Henry VIII.

XXVIII. 'Alſo, where the ſaid Lord Cardinal did firſt ſue unto your Grace to have your Aſſent to be *Legatus de Latere*, he promiſed and ſolemnly proteſted before your Majeſty, and before the Lords both Spiritual and Temporal, that he would nothing do nor attempt by virtue of his Legacy, that ſhould be contrary to your gracious Prerogative or Regality, or to the Damage or Prejudice of the Juriſdiction of any Ordinary, and that by his Legacy no Man ſhould be hurt or offended; and upon that Condition, and no other, he was admitted by your Grace to be Legate within this your Realm; which Condition he hath broken, as is well known to all your Subjects; and when that he made this Promiſe, he was buſy in his Suit at *Rome*, to viſit all the Clergy of *England*, both exempt and not exempt.

XXIX. 'Alſo, upon the Suit of the ſaid Lord Cardinal at *Rome* to have his Authority Legantine, he made untrue Surmiſe to the Pope's Holineſs againſt the Clergy of your Realm; which was, That the Regular Perſons of the ſaid Clergy had given themſelves in *reprobum Senſum*; which Words St. *Paul*, writing to the *Romans*, applied to abominable Sin; which Slander to your Church of *England* ſhall for ever remain in the Regiſter at *Rome* againſt the Clergy of this your Realm.

XXX. 'Alſo the ſaid Lord Cardinal had the more Part of the Goods of Dr. *Smith*, late Biſhop of *Lincoln*; Biſhop *Savage*, of *York*; Mr. *Dudley*, Arch-Deacon of *Richmond*; Mr. *Tamers*; Dr. *Ruthall*, late Biſhop of *Durham*; and of Dr. *Fox*, late Biſhop of *Winceſter*, contrary to their Wills, and your Laws and Juſtice.

XXXI. 'Alſo, at the *Over* and *Terminer* at *York*, Proclamation was made, That every Man ſhould put in their Bills for Extortion of Ordinaries; and when divers Bills were put in againſt the Officers of the ſaid Lord Cardinal, of Extortion, for taking 12*d.* of the Pound for Probation of Teſtaments, whereof divers Bills were found before Juſtice *Fitz-Herbert* and other Commiſſioners, the ſame Lord Cardinal removed the ſame Indictments into

into the Chancery by *Certiorari*, and rebuked the same Indictment for the same Cause. K. *Henry* VIII.

XXXII. 'Also the said Lord Cardinal hath busied and endeavoured himself, by crafty and untrue Tales, to make Dissention and Debate amongst your Nobles of your Realm; which is ready to be proved.

XXXIII. 'Also the said Lord Cardinal's Officers have divers Times compelled your Subjects to serve him with Carts for Carriage: And also his Servants have taken both Corn and Cattle, Fish, and all other Victuals at your Grace's Price, or under, as tho' it had been for your Grace; which is contrary to the Laws.

XXXIV. 'Also the said Lord Cardinal hath misused himself in your most honourable Court, in keeping of as great Estate there in your Absence, as your Grace would have done if you had been there present in your own Person.

XXXV. 'Also his Servants, by virtue of your Commission under your Broad Seal by him to them given, have taken Cattle, and all other Victuals, at as low Price as your Purveyors have done for your Grace by your Prerogative, against the Laws of your Realm.

XXXVI. 'Also, where it hath been accustomed that your Purveyors for your honourable Household have had yearly, out of your Town and Liberty of *St. Alban's*, 3 or 400 Quarters of Wheat; Truth it is, that since the Lord Cardinal had the Room of Abbot there, your said Purveyors could not be suffered by him, and his Officers, to take any Wheat within the said Town or Liberties.

XXXVII. 'Also he hath divers Times given Injunction to your Servants, that have been for Causes before him in the Star-Chamber, that they, nor other for them, should make Labour, by any Manner of Way, directly or indirectly, to your Grace, to obtain your gracious Favour or Pardon; which was a presumptuous Intent for any Subject.

XXXVIII. 'Also the said Lord Cardinal did call before him Sir *John Stanley*, Knt. which had

K. *Henry* VIII. taken a Farm by Covent Seal of the Abbot and Convent of *Cheſter*, and afterwards, by his Power and Might, contrary to Right, committed the ſaid Sir *John Stanley* to the Priſon of the *Fleet* by the Space of a Year, unto ſuch Time as he compelled the ſaid Sir *John* to releaſe his Covent Seal to one *Leghe* of *Adlington*, which married one *Larke*'s Daughter, which Woman the ſaid Lord Cardinal kept, and had with her two Children. Thereupon the ſaid Sir *John Stanley*, upon Diſpleaſure taken in his Heart, made himſelf Monk in *Weſtminſter*, and there died.

XXXIX. 'Alſo, on a Time, your Grace being at *St. Alban's*, according to the antient Cuſtom uſed within your Verge, your Clerk of the Market doing his Office, did preſent unto your Officers of your moſt honourable Houſhold the Prices of all Manner of Victuals within the Precinct of the Verge, and it was commanded by your ſaid Officers to ſet up the ſaid Prices both on the Gates of your honourable Houſhold, and alſo in the Market-Place within the Town of *St. Alban's*, as of antient Cuſtom it hath been uſed; and the Lord Cardinal hearing the ſame, preſumptuouſly, and not like a Subject, cauſed the foreſaid Prices, which were ſealed with your Grace's Seal, accuſtomably uſed for the ſame, to be taken off, and pulled down in the ſaid Market-Place where they were ſet up, and in the ſame Place ſet up his own Prices, ſealed with his Seal, and would, if it had not been letted, in ſemblable Manner uſed your Seal ſtanding upon your Grace's Gates, and alſo would, of his preſumptuous Mind, have openly ſet in the Stocks within your ſaid Town your Clerk of your Market; by which Preſumption and Uſurpation your Grace may perceive that in his Heart, he hath reputed himſelf to be equal with your Royal Majeſty.

XL. 'Alſo the ſaid Lord Cardinal, of his further pompous and preſumptuous Mind, hath enterprized to join and imprint the Cardinal's Hat under your Arms in your Coin of Groats, made at your City of *York*; which like Deed hath not been ſeen to have been done by any Subject within your Realm before this Time.

XLI.

XLI. 'Alſo, where one Sir *Edward Jones*, Clerk, Parſon of *Crowley*, in the County of *Buckingham*, in the 18th Year of your Moſt Noble Reign, lett his ſaid Parſonage, with all Tythes and other Profits of the ſame, to one *William Johnſon*, by Indenture for certain Years, within which Years the Dean of the ſaid Lord Cardinal's College in *Oxford* pretended Title to a certain Portion of Tythes within the ſaid Parſonage, ſuppoſing the ſaid Portion to belong to the Parſonage of *Chichelly*, which was appropriated to the Priory of *Tykeford*, lately ſuppreſſed; where, of Truth, the Parſons of *Crowley* have been peaceably poſſeſſed of the ſaid Portion Time out of Mind: Whereupon a *Subpœna* was directed to the ſaid *Johnſon* to appear before the ſaid Lord Cardinal at *Hampton-Court*; where, without any Bill, the ſaid Lord Cardinal committed him to the *Fleet*, where he remained by the Space of twelve Weeks, becauſe he would not depart with the ſaid Portion; and at the laſt, upon a Recognizance made, that he ſhould appear before the ſaid Lord Cardinal whereſoever he was commanded, he was delivered out of the *Fleet*. Howbeit, as yet, the ſaid Portion is ſo kept from him that he dare not deal with it. K. *Henry* VIII.

XLII. 'Alſo, where one *Martin Docowra* had a Leaſe of the Manor of *Ballſall*, in the County of *Warwick*, for a Term of certain Years, an Injunction came to him out of the Chancery, by Writ, upon Pain of One Thouſand Pounds, that he ſhould avoid the Poſſeſſion of the ſame Manor, and ſuffer Sir *George Throgmorton*, Knight, to take the Profits of the ſame Manor, to the Time the Matter depending in the Chancery between the Lord of *St. John*'s, and the ſaid *Docowra* were diſcuſſed; and yet the ſaid *Docowra* never made Anſwer in the Chancery, nor ever was called into the Chancery for that Matter: And now of late he hath received the like Injunction, upon Pain of Two Thouſand Pounds, contrary to the Courſe of the Common Law.

K. *Henry* VIII.

XLIII. 'Alſo whereas in the Parliament-Chamber, and in open Parliament, Communication and Devices were had and moved, wherein Mention was, by an Incident, made of Matters touching Hereſies and erroneous Sects, it was ſpoken, and reported by one Biſhop there being preſent, and confirmed by a good Number of the ſame Biſhops, in Preſence of all the Lords Spiritual and Temporal then aſſembled, that two of the ſaid Biſhops were minded and deſired to repair unto the Univerſity of *Cambridge*, for Examination, Reformation, and Correction of ſuch Errors as then ſeemed, and were reported, to reign amongſt the Students and Scholars of the ſame, as well touching the *Lutheran* Sect and Opinions, as otherwiſe; the Lord Cardinal informed of the good Minds and Intents of the ſaid two Biſhops in that Behalf, expreſly inhibited and commanded them in no ways ſo to do: By Means whereof the ſame Errors (as they affirmed) crept more abroad, and took greater Place; ſaying furthermore, that it was not in their Defaults that the ſaid Hereſies were not puniſhed, but in the ſaid Lord Cardinal; and that it was no Reaſon any Blame or Lack ſhould be arrected unto them for his Offence: Whereby it evidently appeareth, that the ſaid Lord Cardinal, beſides all other heinous Offences, hath been the Impeacher and Diſturber of due and direct Correction of Hereſies; being highly to the Danger and Peril of the whole Body and good Chriſtian People of this your Realm.

XLIV. 'Finally, foraſmuch as by the foreſaid Articles is evidently declared to your moſt Royal Majeſty, that the Lord Cardinal, by his outrageous Pride, hath greatly ſhadowed a long Seaſon your Grace's Honour, which is moſt highly to be regarded, and, by his inſatiable Avarice and ravenous Appetite to have Riches and Treaſure without Meaſure, hath ſo grievouſly oppreſſed your poor Subjects, with ſo manifold Crafts of Bribery and Extortion, that the Commonwealth of this your Grace's Realm is thereby greatly decayed and impoveriſh'd; and alſo by his Cruelty, Iniquity, Affection, and Partiality,

Partiality, hath ſubverted the due Courſe and Order of your Grace's Laws, to the undoing of a great Number of your loving People. K. *Henry* VIII.

'Pleaſe it your Royal Majeſty therefore, of your excellent Goodneſs towards the Weal of this your Realm, and Subjects of the ſame, to ſet ſuch Order and Direction upon the ſaid Lord Cardinal, as may be to the terrible Example of others to beware ſo to offend your Grace and your Laws hereafter: And that he be ſo provided for, that he never have any Power, Juriſdiction, or Authority, hereafter to trouble, vex, and impoveriſh the Commonwealth of this your Realm, as he hath done heretofore, to the great Hurt and Damage of every Man almoſt, high and low: Which for your Grace ſo doing, will daily pray, as their Duty is, to Almighty God, for the proſperous Eſtate of your moſt Royal Majeſty long to endure in Honour and good Health, to the Pleaſure of God and your Hearts moſt Deſire.'

Subſcribed the 1ſt of *December*, the 21ſt Year of the Reign of our Sovereign Lord King *Henry* VIII.

T. More [a],
T. Norfolk,
Char. Suffolk,
Tho. Dorſet,
H. Exeter,
G. Shrewſbury,
R. Fitz-Walter,
Jo. Oxynford,
H. Northumberland,
T. D'Arcy,
T. Rochford,
W. Mountjoy,
Will. Sandys,
Will. Fitz-William,
Henry Guldeford,
Anth. Fitz-Herbert, } [b]
John Fitz-James. }

It appears by the Names of the Lords who ſign'd theſe Articles, that they were drawn up by a Committee appointed for that Purpoſe: And, being read and agreed to by the whole Houſe, they were firſt preſented to the King, and then a Copy of them was ſent down to the Lower Houſe for their Peruſal and Approbation. But, amongſt the Commons,

[a] Lord-Chancellor.

[b] Theſe laſt were the two Lord Chief Juſtices at that Time: *Dugdale's Summons*, 21 *Henry* VIII.

K. *Henry* VIII. mons, the Cardinal's Cauſe was ſo well defended by his Secretary, *Cromwell*, then a Member[c], that he abſolutely cleared his Maſter from any Charge of Treaſon, and he was fully acquitted thereof. From this honeſt Begining, ſays Lord *Herbert*, *Thomas Cromwell* dated his future Reputation.

Cardinal *Wolſey* acquitted.

A late Hiſtorian[d] remarks, 'That tho' the Attorney-General, *Hales*, had accuſed the Cardinal, 'in the Star-Chamber, of breaking the Statute of '*Præmunire*, and exerciſing his Office of *Legate a* '*Latere* without the King's Licence; yet in the 'Articles above, exhibited in the Houſe of Lords 'againſt him, there was no ſuch Thing: Becauſe, 'adds he, it would have been contrary to Equity to 'accuſe the Cardinal of exerciſing the Authority of 'a Legate, without the King's Permiſſion, when 'the King was known to conſent to it, tho' not in 'the Manner preſcribed by the Law.' But tho' the Cardinal eſcaped this Blow, he never was reinſtated again in the King's Favour. And, as his bitter Enemies took all Opportunities to deſtroy him, they at length prevailed upon the King to cauſe him to be arreſted at his Caſtle of *Cawood*, near *York*, and brought up to *London*, for another Trial; but a ſuperior Summons, to a much higher Tribunal, took him at *Leiceſter*, where he died, *November* 27, 1530, with theſe remarkable Words in his Mouth, *If I had ſerved my God with half the Zeal that I have ſerved my King, he would not in my Grey Hairs have thus forſaken me!*

His Death.

Before the Cardinal died the Pope's Supremacy in *England* began to loſe Ground; and *Clement* VII. having abſolutely denied to confirm the Divorce, *Henry*, in his Turn, reſolved to inquire what Authority the Pope had in his Dominions: And, as it ſeems to us, the ſame Parliament that made the above Stroke at Cardinal *Wolſey*, carried it ſtill farther againſt the Papal Authority. *Luther*'s Doctrine was now ſecretly admitted into many Places of

Luther's Doctrine gains Ground.

[c] Biſhop *Godwyn* writes, That the Cardinal had purpoſely got him elected a Member of the Lower Houſe, in order to defend him. *Annals of* Henry VIII. *&c.*'

[d] *Rapin*'s Hiſtory of *England*, Vol. I. p. 786.

of the Kingdom, with much Approbation; and gave such Impressions, that even the most ignorant began to examine, whether the Errors then ordinarily controverted, did belong to the Doctrine, or to the Government of the Church. And this alone, says Lord *Herbert*, as it was the first Step, so was it a great and bold Sally towards that Reformation which afterwards followed. K. *Henry* VIII.

Many Abuses which the Laity received daily from the Clergy were loudly complained of; and the King, being now willing that they should be strictly inquired into, referred the Redress thereof to the Commons in this Parliament. Complaints also being made in that House [e], against Exactions for Probates of Testimonies and Mortuaries; for Pluralities, Non-residence, and against Priests that were Farmers of Lands, Tanners, Woollbuyers, &c. the Spirituality were much offended at these Proceedings; and when the Bills for regulating these Exorbitances were brought before the House of Lords, *John Fisher*, Bishop of *Rochester*, made a remarkable Speech against them. As the Design of these Inquiries is to preserve an exact Impartiality, we shall give this Speech *verbatim*; as it is printed in a small Treatise on the Life and Death of that Prelate [f]. Bills for reforming the Abuses of the Clergy.

My Lords,

'HERE are certain Bills exhibited against the 'Clergy, wherein there are Complaints made 'against the Viciousness, Idleness, Rapacity, and 'Cruelty of Bishops, Abbots, Priests, and their 'Officials. But, my Lords, are all vicious, all 'idle, all ravenous and cruel Priests, or Bishops? 'And, for such as are such, are there not Laws 'provided already against such? Is there any A'buse that we do not seek to rectify? Or, can 'there be such a Rectification as that there shall be 'no Abuses? Or, are not Clergymen to rectify 'the Bishop *Fisher*'s Speech against them.

[e] These Complaints were drawn up into six Articles, and are in *Fox's Acts and Monuments*, Vol. II. p. 907. Edit. 1595.

[f] *The Life and Death of* John Fisher, *Bishop of* Rochester, *&c. By Dr.* Thomas Bailey, 12mo. Lond. 1655. Reprinted *Anno* 1739.

K. *Henry* VIII. 'the Abuſes of the Clergy? Or, ſhall Men find 'Fault with other Men's Manners, while they 'forget their own; and puniſh where they have no 'Authority to correct? If we be not executive in 'our Laws, let each Man ſuffer for his Delinquen-'cy; or, if we have not Power, aid us with your 'Aſſiſtance, and we ſhall give you Thanks. But, 'my Lords, I hear there is a Motion made, that 'the ſmall Monaſteries ſhould be given up into the 'King's Hands, which makes me fear that it is not 'ſo much the Good as the Goods of the Church 'that is looked after. Truly, my Lords, how this 'may ſound in your Ears I cannot tell, but to me 'it appears no otherwiſe, than as if our Holy Mo-'ther the Church were to become a Bondmaid, and 'now brought into Servility and Thraldom; and, 'by little and little, to be quite baniſhed out of thoſe 'Dwelling-Places, which the Piety and Liberality 'of our Forefathers, as moſt bountiful Benefactors, 'have conferred upon her. Otherwiſe, to what 'tendeth theſe portentous and curious Petitions 'from the Commons? To no other Intent or 'Purpoſe, but to bring the Clergy in Contempt 'with the Laity, that they may ſeize their Patri-'mony. But, my Lords, beware of yourſelves 'and your Country; beware of your Holy Mother 'the Catholic Church; the People are ſubject to 'Novelties, and *Lutheraniſm* ſpreads itſelf amongſt 'us. Remember *Germany* and *Bohemia*, what 'Miſeries are befallen them already, and let our 'Neighbours Houſes that are now on Fire teach us 'to beware of our own Diſaſters. Wherefore, my 'Lords, I will tell you plainly what I think; 'that, except ye reſiſt manfully, by your Autho-'rities, this violent Heap of Miſchiefs offered by 'the Commons, you ſhall ſee all Obedience firſt 'drawn from the Clergy, and ſecondly from your-'ſelves; and if you ſearch into the true Cauſes of 'all theſe Miſchiefs which reign amongſt them, 'you ſhall find that they all ariſe through Want of 'Faith.'

The ſame Authority tells us, that this Speech pleaſed

pleaſed or diſpleaſed ſeveral of the Houſe of Lords, as they were diverſly inclined to forward or flatter the King's Deſigns. But, amongſt them all, none made a Reply to it but only the Duke of *Norfolk*, who ſaid to the Biſhop, 'My Lord of *Rocheſter*, 'many of theſe Words might have been well ſpa-'red; but I wiſt it is often ſeen that the greateſt 'Clerks are not always the wiſeſt Men.' To which the Biſhop replied, 'My Lord, I do not 'remember any Fools in my Time that ever proved 'great Clerks.' K. *Henry* VIII.

When the Lower Houſe heard of this Speech, they conceived ſo great Indignation againſt the Biſhop, that they immediately ſent their Speaker, *Audley*, attended with a Number of the Members, to complain of it to the King; and to let his Majeſty know 'how grievouſly they thought themſelves 'injured thereby, for charging them with Lack of 'Faith, as if they had been Infidels or Heretics, *&c.*' To ſatisfy the Commons, the King ſent for the Biſhop of *Rocheſter* to come before him; when, being preſent, the King demanded of him, why he ſpoke in ſuch a Manner? The Prelate anſwered, 'That, 'being in Parliament, he ſpake his Mind freely in 'Defence of the Church, which he ſaw daily in-'jured and oppreſſed by the common People, whoſe 'Office it was not to judge of her Manners, much 'leſs to reform them; and therefore, he ſaid, he 'thought himſelf in Conſcience bound to defend 'her in all that lay within his Power.' However, the King adviſed him 'to uſe his Words more tem-'perately another Time,' which was all he then ſaid to him. Which is reſented by the Commons.

But the Injury the Commons thought they had received, by this Reflection, was not ſo eaſily digeſted; for one of the Members, making Uſe of the Goſpel-Doctrine ſo far, ſays the Noble Hiſtorian, as to take a reaſonable Liberty to judge of Things; and, being piqued at the Biſhop for laying it all on Want of Faith, ſtood up in that Houſe, and ſpoke to this Effect;

Mr.

K. *Henry* VIII.

Mr. Speaker [g],

A Speech upon that Occasion.

'IF none else but the Bishop of *Rochester*, or his Adherents, did hold this Language, it would 'less trouble me; but since so many religious and 'different Sects, now conspicuous in the whole 'World, do not only vindicate unto themselves 'the Name of the true Church, but labour betwixt 'Invitations and Threats, for nothing more than to 'make us resign our Faith to a simple Obedience, 'I shall crave Leave to propose what I think fit in 'this Case for us Laiques and Secular Persons to 'do; not that I will make my Opinion any Rule to 'others, when any better Expedient shall be offer'd, 'but that I would be glad we considered hereof, as 'the greatest Affair that doth or may concern us.

'For if, in all human Actions, it be hard to find 'that Medium, or even Temper, which may keep 'us from declining into Extremes, it will be much 'more difficult in religious Worship; both as the 'Path is supposed narrower, and the Precipices 'more dangerous on every Side. And because each 'Man is created by God a free Citizen of the 'World, and obliged to nothing so much as the 'Inquiry of those Means by which he may attain 'his everlasting Happiness, it will be fit to examine 'to whose Tuition and Conduct he commits him-'self: For as several Teachers, not only differing 'in Language, Habit, and Ceremony, or at least in 'some of these, but peremptory and opposite in their 'Doctrines, present themselves, much Circumspec-'tion must be us'ed: Here then, taking his Prospect, 'he shall find those Guides directing him to several 'Ways, whereof the first yet extends no further 'than to the Laws and Religions of each Man's 'native Soil or Diocese, without passing those 'Bounds. The second, reaching much further, 'branches itself into that Diversity of Religions and 'Philosophies, that not only are, but have been

'extant

g *Lord* Herbert's *Life of* Henry VIII. p. 295. It is Pity he hath not left us the Name of this Speaker. *Hall* only says he was a Gentleman of *Gray's Inn*; and in the Debate, wherein antient Custom was urged in Defence of the Clergy, he said, *The Usage hath ever been for Thieves to rob on* Shooter's Hill; ergo, *Is it lawful?* Fol. 189.

'extant in former Times, untill he be able to deter- K. *Henry* VIII.
'mine which is beſt. But, in either of theſe, no
'little Difficulties will occur: For, if each Man
'ought to be ſecure of all that is taught at home,
'without inquiring further, how can he anſwer
'his Conſcience? When looking abroad, the
'Terrors of everlaſting Damnation ſhall be de-
'nounced on him, by the ſeveral Hierarchies and
'viſible Churches of the World, if he believe any
'Doctrine but theirs. And that, amongſt theſe
'again, ſuch able and underſtanding Perſons may
'be found, as in all other Affairs will equal his
'Teachers. Will it be fit that he believe God hath
'inſpired his own Church and Religion only, and
'deſerted the reſt, when yet Mankind is ſo much
'of one Offspring, that it hath not only the ſame
'*Pater Communis* in God, but is come all from the
'ſame carnal Anceſtors? Shall each Man, without
'more Examination, believe his Prieſts in what
'Religion ſoever; and, when he hath done, call
'their Doctrine his Faith? On the other Side, if
'he muſt argue Controverſies before he can be ſa-
'tisfied, how much Leiſure muſt he obtain? How
'much Wealth and Subſtance muſt he conſume?
'How many Languages muſt he learn? And how
'many Authors muſt he read? How many Ages
'muſt he look into? How many Faiths muſt he
'examine? How many Expoſitions muſt he con-
'fer, and how many Contradictions reconcile?
'How many Countries muſt he wander into, and
'how many Dangers muſt he run? Briefly, would
'not our Life, on theſe Terms, be a perpetual Pe-
'regrination; while each Man poſted into the
'other's Country to learn the Way to Heaven,
'without yet that he could ſay at laſt he had
'known or tried all? What remains then to be
'done? Muſt he take all that each Prieſt, upon
'Pretence of Inſpiration, would teach him, becauſe
'it might be ſo; or may he leave all, becauſe it
'might be otherwiſe? Certainly, to embrace all Re-
'ligions, according to their various and repugnant
'Rites, Tenets, Traditions, and Faiths, is impoſ-
'ſible,

K. *Henry* VIII. ‘ſible, when yet in one Age it were not poſſible, ‘after incredible Pains and Expences, to learn out ‘and number them. On the other Side, to reject all ‘Religions indifferently is as impious, there being no ‘Nation that in ſome Kind or other doth not worſhip ‘God, ſo that there will be a Neceſſity to diſtinguiſh. ‘Not yet that any Man will be able, upon Com‘pariſon, to diſcern which is the perfecteſt among ‘the many profeſſed in the whole World, each of ‘them being of that large Extent, that no Man's ‘Underſtanding will ſerve to comprehend it in its ‘uttermoſt Latitude and Signification: But, at leaſt, ‘that every Man might vindicate and ſever, in his ‘particular Religion, the more eſſential and demon‘ſtrative Parts from the reſt, without being moved ‘ſo much at the Threats and Promiſes of any other ‘Religion that would make him obnoxious, as ‘to depart from this Way, there being no ordi‘nary Method ſo intelligible, ready, and compen‘dious, for conducting each Man to his deſired ‘End. Having thus therefore recollected himſelf, ‘and together implored the Aſſiſtance of that Su‘preme God whom all Nations acknowledge, he ‘muſt labour, in the next Place, to find out what ‘inward Means his Providence hath delivered to ‘diſcern the true not only from the falſe, but even ‘from the likely and poſſible, each of them requi‘ring a peculiar Scrutiny and Conſideration: Nei‘ther ſhall he fly thus to particular Reaſon, which ‘may ſoon lead him to Hereſy; but, after a due Se‘paration of the more doubtful and controverted ‘Parts, ſhall hold himſelf to common, authentic, ‘and univerſal Truths, and conſequently inform ‘himſelf, what in the ſeveral Articles propoſed to ‘him is ſo taught, as it is firſt written in the Heart, ‘and together delivered in all the Laws and Reli‘gions he can hear of in the whole World: This ‘certainly can never deceive him, ſince there‘in he ſhall find out how far the Impreſſions of ‘God's Wiſdom and Goodneſs are extant in all ‘Mankind, and to what Degrees his univerſal Pro‘vidence hath dilated itſelf; while thus aſcending

‘to

'to God by the same Steps he descends to us, he cannot fail to encounter the Divine Majesty. Neither ought it to trouble him if he finds these Truths variously complicated with Difficulties or Errors; since, without insisting on more Points than what are clearly agreed on every Side, it will be his Part to reduce them into Method and Order; which also is not hard, they being but few, and apt for Connection: So that it will concern our several Teachers to imitate us in this Doctrine, before they come to any particular Direction; lest otherwise they do like those who would persuade us to renounce Day-light to study only by their Candle. It will be worth the Labour, assuredly, to inquire how far these universal Notions will guide us, before we commit ourselves to any of their abstruse and scholastic Mysteries, or supernatural and private Revelations; not yet but that they also may challenge a just Place in our Belief, when they are delivered upon warrantable Testimony; but that they cannot be understood as so indifferent and infallible Principles for the Instruction of all Mankind. K. Henry VIII.

'Thus, among many supposed inferior and questionable Deities worshipped in the four Quarters of the World, we shall find one Chief so taught us, as above others to be highly reverenced.

'Among many Rites, Ceremonies, Volumes, &c. delivered us as Instruments or Parts of his Worship, he shall find Virtue so eminent, as it alone concludes and sums up the rest. Insomuch as there is no Sacrament which is not finally resolved into it; good Life, Charity, Faith in, and Love of, God, being such necessary and essential Parts of Religion, that all the rest are finally closed and determined in them.

'Among the many Expiations, Lustrations, and Propitiations for our Sins, taught in the several Quarters of the World in sundry Times, we shall find that none doth avail without hearty Sorrow for our Sins, and a true Repentance towards God, whom we have offended.

'And

K. *Henry* VIII.

'And, laſtly, amidſt the divers Places and Manners of Reward and Puniſhment, which former Ages have delivered, we ſhall find God's Juſtice and Mercy not ſo limited, but that he can extend either of them even beyond Death, and conſequently recompenſe or chaſtiſe eternally. Theſe therefore, as univerſal and undoubted Truths, ſhould, in my Opinion, be firſt received; they will at leaſt keep us from Impiety and Atheiſm, and together lay a Foundation for God's Service and the Hope of a better Life: Beſides, it will reduce Men's Minds from uncertain and controverted Points, to a ſolid Practice of Virtue; or, when we fall from it, to an unfeigned Repentance and Purpoſe, thro' God's Grace, to amend our ſinful Life; without making Pardon ſo eaſy, cheap, or mercenary as ſome of them do. Laſtly, it will diſpoſe us to a general Concord and Peace; for, when we are agreed concerning theſe eternal Cauſes and Means of our Salvation, why ſhould we ſo much differ for the reſt? Since as theſe Principles exclude nothing of Faith or Tradition, in what Age or Manner ſoever it intervened, each Nation may be permitted the Belief of any pious Miracle that conduceth to God's Glory; without that, on this Occaſion, we need to ſcandalize or offend each other. The common Truths in Religion, formerly mentioned, being firmer Bonds of Unity, than that any Thing emergent out of Traditions, whether written or unwritten, ſhould diſſolve them; let us therefore eſtabliſh and fix theſe Catholic or univerſal Notions; they will not hinder us to believe whatſoever elſe is faithfully taught upon the Authority of the Church. So that whether the Eaſtern, Weſtern, Northern, or Southern Teachers, *&c.* and particularly whether my Lord of *Rocheſter*, *Luther*, *Eccius*, *Zuinglius*, *Eraſmus*, *Melanchthon*, *&c.* be in the Right, we Laiques may ſo build upon theſe Catholic and infallible Grounds of Religion, as whatſoever Superſtructures of Faith be raiſed, theſe Foundations yet may ſupport them.'

This

This Speech was differently taken also by those who were still Friends or Enemies to the Church of *Rome*. However, the Majority being of the latter Opinion, a Reformation in Religion was resolved upon, as far as was consistent with the established Laws of the Kingdom. These Things, says *Hall*, against the Power of the Clergy, before this Time, durst not be attempted, or even talked of, unless a Man would run the Hazard of being judged an Heretic, and lose all that he had: For as the Bishops were always Chancellors, and had the sole Rule about the King, no Man durst presume to attempt any Thing contrary to their Wills and Advantage. But now an Act was made to settle the Fees for Probates of Wills, and for Mortuaries. Moreover, Spiritual Persons were abridged from taking of Farms, and from Pluralities of Livings, unless they were qualified by certain University Degrees, or by the Nobility, to whom a competent Number of Chaplains were assigned. Non-Residence also, then very usual, was forbidden, except in some Cases; the rest explained and interpreted [h].

K. *Henry* VIII.

Reformation in Religion set on Foot;

Acts passed in pursuance thereof.

But there was another Bill passed in this Parliament, which, because of its singular Nature, and that it is not printed with the other Statutes, Bishop *Burnet* hath thought fit to publish in the *Collection of Records*, at the End of his first Volume of the *Reformation* [i]. The Bill bears, in its Preamble, the highest Flattery that could be put in Paper, of the great Things the King had done for the Church and Nation, in which he had been at vast Expences: That divers of his Subjects had lent great Sums of Money, which had been all well employed in the Public Service; and whereas the Lenders had Security for the Payment, the Parliament did offer all these Sums, so lent, to the King, and discharged him of all the Obligations or Assignments made for

h See *Statutes at large*, 21 *Henry* VIII.

i *Burnet's History of the Reformation*, in the *Appendix*, No. 32. Also Vol. I. p. 83.

K. *Henry* VIII. their Payment, and of all Suits that might arise thereupon.

An Act passed to discharge the King from certain Debts without paying his Creditors.

Hall says, That most Part of the House of Commons were the King's Servants, by whom the Bill was brought in. These Courtiers, in their Debates, enlarged much 'on the Wealth and Peace of the 'Nation, notwithstanding the Wars; the King al-'ways making his Enemies Country the Scene of 'them. They said that, for fourteen Years, the 'King had but one Subsidy from his People; and 'that now he asked nothing for any other Purpose 'than only to be discharged from a Debt contract-'ed for the Public; by the Accounts of which, 'there shewed, they might see to what Uses the 'Money so raised had been applied.'

Bishop *Burnet* observes, That there were several Ends in passing this Bill: The Courtiers did not only intend to deliver the King from a Charge by it, but also to ruin all the Cardinal's Friends and Creatures, whom he had caused every where to advance great Sums on this Account for an Example to others. Many in the House were convinced that the Act was unjust in itself, yet did easily give Way to it, that they might effectually, for the future, discredit that Way of raising Money by Loans; judging it the public Interest of the Kingdom to have no Money raised but by Parliament. But *Hall* writes expressly, That there was much under-hand Dealing practised to get this Bill passed, which gave much Discontent to the poor Sufferers, and occasioned great Murmuring in others. To qualify this rough Proceeding, the King thought fit to grant a free and absolute Pardon to his Subjects for all Offences, some capital ones excepted, as is usual in such Cases. And, to keep the Clergy still under the Rod, all Transgressions against the Statute of *Præmunire*, *&c.* were excepted, which fell upon them severely afterwards. There are two other remarkable Exceptions in the Act; the one is, for those that pull or dig down Crosses in the High Roads, to have no Benefit of this Pardon; the other is, on the Prosecution of Cardinal *Wolsey*, and the Forfeitures that came

An Act for a free Pardon.

came thereby to the King, *viz.* the Cardinal's College in *Oxford*, with the Lands belonging to it, which are excepted; upon which the Dean and Canons resigned their Lands to the King, but he founded the College a-new soon after. All this, says Bishop *Burnet*, was done, both to keep the Clergy quiet, and to engage them to use their Interest with the Pope, to dispose him to favour the King more in the great Affair of the Divorce. K. *Henry* VIII.

The Author of the Life of Bishop *Fisher* has thrown in here an invidious Insinuation, that an Account was given in this Parliament of the Sum of 100,000 *l.* Charges, which the King had been at in obtaining so many Instruments from foreign Universities concerning the Business of the Divorce. These were all exhibited in the next Parliament; and it was farther urged that the King had been at these Expences through the Falshood and Dissimulation of the Cardinal, and certain others of the Chief of the Clergy; for which it was demanded that the whole Body of them should make it good to the King. When this Matter was propounded in Convocation, Bishop *Fisher* opposed it, and said unto the King's Orators, 'That it was not their 'Faults, as they were there the Body Representative 'of the Clergy, that the King had been at any 'Charges at all concerning that Business; for, to 'his Knowledge, the Clergy were generally against 'it, that any such Matter should at all be brought 'in Question; and that, if any such faulty Persons 'were amongst them, it was fit they should be 'questioned and compelled to give his Majesty Sa-'tisfaction.' Whereupon, says our Authority, they all flatly denied to make Restitution on any such Score. This served as a *Præludium* to the Winds of the ensuing Tempest. The Clergy required to pay the aforesaid Debt.

We have given the foregoing Account of this Session of Parliament, chiefly from *Hall*'s Chronicle, Lord *Herbert*'s History, and Bishop *Fisher*'s Life, having no other Authority to go by; and must continue to do so till the *Journals* begin again.

K. *Henry* VIII. It is plain, by these Writers and others, that the Affair of the Divorce and the new Reformation went on together; the one, as a Spiritual Business, was confined to the Sentence and Determination of the Ecclesiastical Courts; but the latter came before Lay Judges, and was chiefly the Resolution of the King, his Temporal Lords, and House of Commons. Bishop *Burnet*[k] observes, That there had been great Industry used in managing Elections for this Parliament; and they were so successful in returning such Members as the King wanted, that he was resolved to continue them till they had done his Work, both in the Affair of the Divorce and the Business of the Reformation. Some of the Spirituality also ran on with the Stream, not knowing then, we dare say, where it would carry them: A plain Instance of this is their joining with the Temporal Lords and Commons, in a Letter, or Declaration, to the Pope, under their Hands and Seals, concerning Abuses in the Church. It was the first Thing, we find, that they went upon, at their next Meeting in Parliament, which happened, according to Prorogation, *July* 30, 1530. The Letter itself, as taken from the *Records*, is preserv'd by Lord *Herbert*, with the Pope's Answer to it, in the original Language. Bishop *Kennet*, in his Edition of that Book, hath given us the following Translation of them.

Anno Regni 21. 1530.

At *Westminster.*

A Letter from the Parliament to the Pope, in Favour of Queen *Katherine*'s Divorce.

'TO the Most Holy Lord, our Lord and Father in *Christ*, *Clement*, by the Divine Providence, the seventh Pope of that Name, we wish and pray for perpetual Felicity in our Lord *Jesus Christ*, with all Humility throwing ourselves at his Feet. Most blessed Father, although the Cause concerning the Marriage of the most invincible Prince our Sovereign Lord the King of *England* and *France*, Defender of the Faith, and Lord of *Ireland*, does, for sundry great and weighty Reasons of itself, require and demand your Holiness's Assistance, that it may be brought to that speedy

[k] *Burnet's History*, Vol. I. p. 84.

'speedy End and Determination, which we with 'so great and earneſt Deſires have wiſhed, and 'with ſo very great, though very vain Expectations, 'have long looked for from your Holineſs; we 'could not nevertheleſs prevail with ourſelves to 'keep Silence herein any longer, eſpecially ſince 'our Kingdom and the Affairs thereof ſuffer ſo 'much, and are brought into ſo great Danger 'through the unſeaſonable Delay of Sentence 'herein: So that ſince his Majeſty, our Head, and 'by conſequence the Life of us all, and we, in his 'Words, as Subject Members, by a juſt Union an-'nexed to the Head, have with great Earneſtneſs 'prayed your Holineſs, but prayed in vain, we are, 'by the Greatneſs of our Grief, forced ſeparately 'and diſtinctly, by theſe our Letters, moſt humbly 'to intreat your ſpeedy Determination hereof. The 'Juſtice of the Cauſe itſelf, approved of by the 'Opinions of the moſt learned Men every where, 'and determined by the Decrees of the moſt fa-'mous Univerſities in the World, and eſteem'd and 'judged moſt righteous by all Perſons either in *Eng-'land*, *France*, or *Italy*, who are moſt eminent for 'their Learning, might ſo far prevail, as that your 'Holineſs, though no Body intreated it, nay, 'though ſome oppoſed it, ſhould, with your own 'Voice and Authority, confirm that Sentence which 'has ſo univerſally been pronounced juſt; eſpecially 'when your Determination of this Cauſe is a 'Piece of Juſtice done to that King and Kingdom, 'which, upon ſo many ſeveral Accounts, have de-'ſerved well of the Apoſtolical See. Although 'Intreaties to you herein ſeem not to be neceſſary, 'however we make them, as Perſons overborn 'with Troubles, who indulge their Grief, and fre-'quently pour forth repeated and unneceſſary 'Prayers: But ſince your Holineſs is not to be 'prevailed upon, either by the Juſtice of the Cauſe, 'the Remembrance of the good Services you have 'always found, or by the earneſt and continued 'Requeſts of the beſt of Princes, to do that which 'might be expected from your paternal Love and

K. *Henry* VIII.

K. *Henry* VIII. ‘ Affection alone, our Grief is by the Remembrance
‘ of our Miſeries and Calamities increaſed to that
‘ immenſe Degree, that it overſpreads the whole
‘ Body of the Realm, and gives a Voice of Com-
‘ plaint to each Member of it, forcing them, both by
‘ their Words and in their Letters, to lay before
‘ your Holineſs this their inſupportable Grievance.
‘ For how great a Misfortune is it, that what our
‘ own two Univerſities, the Univerſity of *Paris*,
‘ as well as many others in *France*, what almoſt all
‘ Men of Learning, Knowledge, and Integrity,
‘ both at home and abroad, have determined and
‘ affirmed to be true, and the Truth of which they
‘ are ready to defend and ſupport, both in their
‘ Diſcourſes and Writings, yet cannot a Confir-
‘ mation of this ſo univerſally acknowledged Truth
‘ be obtained from the Holy Apoſtolical See by that
‘ Prince, by whoſe Support and Aſſiſtance that See
‘ ſtill keeps and preſerves its Authority, which has
‘ been ſhaken and undermined by ſo many and
‘ ſo powerful Adverſaries, till he withſtood and
‘ oppoſed their Deſigns, partly by his Sword, partly
‘ by his Pen, at other Times by his Commands
‘ and Authority, ſupporting that Power and Au-
‘ thority of the Church, from whence others are
‘ enabled to obtain thoſe mighty Advantages from
‘ which he now finds himſelf only excluded. What
‘ Anſwer can be made hereto we ſee not; and
‘ yet we ſee that from hence a Flood of Miſeries
‘ is flowing in upon the Commonwealth, and a
‘ Sort of Deluge of Calamities overwhelming us,
‘ from the Diſputes about Succeſſion; which will
‘ ſoon overtake us, never to be ſettled without in-
‘ finite Slaughter and Effuſion of Blood. We now
‘ have a King moſt eminent for his Virtues, ſeated
‘ upon the Throne of his Anceſtors, by Right un-
‘ doubted and unqueſtionable, who would entail
‘ laſting Peace and uninterrupted Tranquillity on
‘ his Realms, if he leaves a Son to ſucceed him
‘ from lawful and true Marriage; nor will that be
‘ poſſible, unleſs your Holineſs will, by your Autho-
‘ rity, pronounce the ſame Sentence concerning his

‘ former

'former Marriage, which so many learned Men K. *Henry* VIII.
'have already delivered. But if your Holiness,
'whom we justly call our Father, shall, by refu-
'sing to comply herein, esteem us as Cast-aways,
'and resolve to leave us Orphans, we can make no
'other Construction of it, but that the Care of
'ourselves is committed to our own Hands, and
'that we are left to seek our Remedy elsewhere.
'But that we may never be driven to these Extre-
'mities, we beg your Holiness, without Delay, or
'father Loss of Time, to assist these his Majesty's
'most just and reasonable Desires; we most ear-
'nestly intreat a Confirmation of the Judgment
'of these most learned Men, humbly imploring,
'that for the Sake of that mutual Love, and that
'paternal Affection which your pastoral Office re-
'quires you to shew us, not to shut up your Bowels
'of Pity and Compassion against us, your most
'dutiful, most loving, most obedient Sons. The
'Case of his most sacred Majesty is the Case of us
'all; since the Head cannot suffer, but the Mem-
'bers must bear a Part; the Grief arising here-
'from, and the Injury suffered hereby, does equally
'affect us, who bear our Proportion of all his Ma-
'jesty's Afflictions; the Remedy of which, as it
'must proceed wholly from your Holiness's Power,
'so is it a Duty necessarily arising from your pa-
'ternal Authority and Affection: Which Remedy,
'if your Holiness shall refuse or delay to grant, our
'Condition will indeed herein be more miserable,
'that so long we have fruitlessly and in vain sought
'Redress; but it will not be wholly desperate,
'since it is possible to find Relief some other Way.
'Desperate Remedies indeed are not without Ex-
'tremity to be applied; but he that is sick will by
'any Means get rid of his Distemper: In the
'Change of our Miseries there is some Comfort,
'when if we cannot obtain perfect Relief, yet we
'may change our Condition for that which is less
'afflicting, and more tolerable. That your Holi-
'ness would be pleased to take these Things into
'your most serious Consideration, we do again and

'again

K. *Henry* VIII. 'again beſeech you for our Lord *Jeſus Chriſt*'s 'Sake, whoſe Vicar on Earth you ſtile yourſelf; 'and that you would now conform your Actions 'to that Title, by pronouncing your Sentence to 'the Glory and Praiſe of God, and thereby giving 'your Teſtimony and Sanction to that Truth, 'which has been examined, approved, and, after 'much Deliberation, confirm'd by the moſt learned 'Men of all Nations. In the mean Time we will 'beſeech God, whom we infallibly know to be 'Truth, that he would vouchſafe ſo to inform and 'direct your Holineſs's Deliberations herein, that 'having, by your Holineſs's Authority, a Confir-'mation of what is juſt, righteous, and true, we 'may therein reſt ſatisfied, and be free from the 'Trouble of ſeeking to attain this End by other 'Means.'

Names of the Members who ſigned it.

1. Archbiſhops.
Thomas Cardinal of *York*,
William of *Canterbury*.

2. Dukes.
Thomas of *Norfolk*,
Charles of *Suffolk*.

3. Marquiſſes.
T. of *Dorſet*,
H. of *Exeter*.

4. Earls.
William of *Arundele*,
Jo. of *Oxford*,
H. of *Northumberland*,
Ralph of *Weſtmoreland*,
George of *Shrewſbury*,
Henry of *Eſſex*,
Edward of *Derby*,
H. of *Worceſter*,
Thomas of *Rutland*,
Henry of *Cumberland*,
Robert of *Suſſex*,
George of *Huntington*,
G. of *Kildare*.

5. Biſhops.
Robert of *Circenceſter*,
John of *Carliſle*,
John of *Lincoln*,
Richard of *St. David's*,

6. Barons.
Henry Montague,
G. Rochford,
William Weſton,
E. Abergavenny,
J. Audley,
Henry Scroope,
Thomas Dacres,
Thomas La Ware,
William Dacre,
Thomas Barkley,
Henry Morley,
George Cobham,
Richard Latimer,
Edward Stourton,
Jo. Fitzwarren,
Jo. Semers,
Jo Lumley,

William

William Mountjoy,
Chriſtopher Conyers,
Henry Daubeney,
T. Darcy,
T. Monteagle,
William Sandys,
Jo. Huſey,
Andrew Windſor.

7. Abbots.

Jo. of *Weſtminſter*,
Jo. of *Bury St. Edmund*,
Richard of *Glaſtonbury*,
William of *Glouceſter*,
Thomas of *Abingdon*,
Hugh of *Reading*,
Edward of *York*,
Jo. of *Peterborough*,
Jo. of *Ramſey*,
Jo. of *Croyland*,
Ro. of *Thorney*,
Ro. of *Selby*,
William of *Bardney*,
William of *St. Bennet de Hulme*,
Thomas of *St. John*, by K. *Henry* VIII.
Colcheſter,
Jo. of *Hyde*,
Clement of *Eveſham*,
Richard of *Malmſbury*,
Richard of *Winchelcomb*,
Robert of *St. Crux*, of *Waltham*,
Jo. of *Cirenceſter*,
Henry of *Tewkſbury*.

8. Knights and Doctors in Parliament.

William Fitzwilliams,
Henry Guildford,
Stephen Gardiner,
Jo. Gage,
William Kingſton,
Bryan Tuke,
Richard Sacheverell,
Richard Sampſon,
Edward Lee,
Richard Woolman,
Jo. Bettat.

To which *Clement* returned this Anſwer:

To our Venerable Brethren the Archbiſhops and Biſhops, and to our beloved Sons the Abbots, Noblemen, Dukes, Marquiſſes, Earls, Barons, Knights, and Doctors aſſembled together in Parliament in England.

CLEMENT VII. Pope.

The Pope's Anſwer,

‘VEnerable Brothers and beloved Sons, Health be to you, and Apoſtolical Benediction. ‘There are many Expreſſions in your Letter, ‘bearing Date *July* 13, which we received ſome ‘Days ago, which we could not have thought ‘well of, did we not wholly impute them to the ‘great Duty and tender Affection which you bear

‘to

K. *Henry* VIII. ‘ to our moſt dear Son in *Chriſt* your King. We ‘ ſhall therefore, without taking thoſe Things amiſs, ‘ ſedately anſwer your Letter, that you may there- ‘ by learn with how little Reaſon you have com- ‘ plained of us, and that your private Duty and ‘ Affection to your King ought not to extend ſo ‘ far, as to juſtify your accuſing us of two grievous ‘ Offences, Ingratitude to his Highneſs, and De- ‘ nial of Juſtice. We do acknowledge that your ‘ King has deſerved all that your Letter mentions; ‘ nay, even much more, that the Remembrance ‘ of his many meritorious Actions towards the ‘ Apoſtolical See will not only live freſh in our ‘ Memories, but be tranſmitted down to lateſt Po- ‘ ſterity. We cannot but own likewiſe that, not ‘ only with reſpect to our Office and Character in ‘ the Church, but alſo in our own private Perſon, ‘ we owe ſo much to his Highneſs's Affection, as ‘ we ſhall ſcarce ever be able to recompenſe. As ‘ to what relates to the Controverſy concerning the ‘ Marriage between his Highneſs and Queen *Kathe- ‘ rine*, we have been ſo far from diſappointing the ‘ King's Expectation therein by denying him Ju- ‘ ſtice, that we have even laid under the Cenſure ‘ of the other Party, and have been thought par- ‘ tial, and too much inclined to favour his Ma- ‘ jeſty's Deſires herein. But to give you a more ‘ undeniable Proof of our conſtant Affection to your ‘ King, it will be neceſſary to mention what has ‘ ſome Time ſince paſſed: When firſt, about three ‘ Years ſince, his Majeſty's Ambaſſadors laid this ‘ Cauſe before us, rather ſeeking Redreſs herein ‘ from our Affection and Kindneſs to his Highneſs, ‘ than from the rigorous Courſe of Juſtice, we ‘ committed it to the Determination of our beloved ‘ Sons *Thomas* Archbiſhop of *York*, our Legate in ‘ *England*, Cardinal *Sanctæ Cæciliæ*, and *Lau- ‘ rence Campejus*, Cardinal *Sanctæ Mariæ trans ‘ Tiberim*, our Legate *de Latere*, who were both in ‘ your Kingdom, and upon the Spot, to examine ‘ into the Matter: whereby, as far as we are able, ‘ we ſatisfied his Highneſs's Deſires; But when the

‘ Queen

'Queen began to ſuſpect them as partial Judges; K. *Henry* VIII.
'and, on the Account of ſome Grievances ſhe had
'impoſed on her by the ſaid Legates, had appealed
'from them to the Apoſtolical Tribunal, and had,
'on her Part, appointed Proctors to proſecute the
'ſaid Appeal at *Rome*, even then our great Incli-
'nation to his Majeſty's Service was ſufficiently
'evidenced: For although we could not in this
'Cauſe deny the Queen a Commiſſion of Appeal,
'yet ſeeking rather that this Controverſy might be
'finiſhed by the agreeable Methods of Peace and
'Concord, than by Courſe of Law, we framed
'ſeveral Delays in granting our Commiſſion of
'Appeal in the ſaid Cauſe, under Pretence that
'this, being a Cauſe of the higheſt Nature, muſt
'therefore be brought before the Conſiſtory. Af-
'ter this we held frequent Conſultation with our
'Moſt Venerable Brethren their Eminences the
'Cardinals, whereby this Affair was ſtill farther
'put off; till at length, by the unanimous Vote of
'all the Cardinals, it was concluded that a Com-
'miſſion of Appeal in this Cauſe could not be re-
'fuſed: It was therefore appointed to be examined,
'heard, and in the ſaid Conſiſtory by us to be finally
'determined; for as in all Caſes we ought to pro-
'ceed with the greateſt Caution, ſo ought we more
'eſpecially to do in that which concerns the Ma-
'jeſties of Kings and Queens, on which we ſee
'the Eyes of all the Chriſtian World placed; ſince
'which no lawful Proctor has appeared on the
'King's Part, to ſet forth his Majeſty's Pretenſions,
'either in Writing or by Word of Mouth; from
'whence it is that this Cauſe could not receive its
'Determination, ſince it muſt be decided ac-
'cording to what is alledged, and by Witneſſes
'proved; not according to Favour and Affection.
'There is therefore no Reaſon why this deferring
'our Sentence of Determination, of which you
'complain, ſhould be aſcrib'd to us; and your Com-
'plaint herein ſeems to us the more ſtrange, becauſe
'his Majeſty's Ambaſſadors in ſeveral Places, parti-
'cularly at *Bononia*, did requeſt and ſollicit this De-
'lay

K. *Henry* VIII. ‘ lay of Sentence from us, contrary to the Inclina-
‘ tion and Demand of the Queen's Proctors herein.
‘ Since therefore we have no ways occaſioned thoſe
‘ Delays, or hindered this Cauſe from being deter-
‘ mined after mature Examination, and due Conſi-
‘ deration of all the Circumſtances of it, we ſee
‘ not on what Reaſons theſe your Complaints are
‘ grounded; unleſs you will venture to ſay, that
‘ the Services which his Majeſty has ſhewn us and
‘ the Apoſtolical See are ſuch, that the Cauſe ſhould
‘ be determined in his Favour, without Regard had
‘ either to Right or Juſtice; for that muſt be the
‘ Meaning of your Words, when you ſay that Sen-
‘ tence ought to be given by us, tho' no Body in-
‘ treated it, nay, tho' ſome oppoſed it, in this Caſe,
‘ which has been adjudged juſt by all the Learned in
‘ *England*, *France*, and *Italy*, and by the Decrees of
‘ ſo many Univerſities: Which Words to us ſeem
‘ not to proceed from your uſual Prudence and Mo-
‘ deſty; ſince we ſee not with what Reaſon you
‘ can deſire that we ſhould, in a Cauſe of the great-
‘ eſt Moment, give Sentence, tho' none intreated
‘ it, nay, tho' ſome oppoſed it; when on the other
‘ Side is alledged the great Scandal and Offence
‘ that all Chriſtians would take at a Sentence of
‘ Divorce from a Marriage which has continued ſo
‘ many Years, which was contracted by Diſpenſa-
‘ tion from the Holy See, at the Requeſt of his
‘ moſt Excellent Majeſty *Henry* VII. and the moſt
‘ Catholick King *Ferdinand*; from whence the
‘ Queen has had ſo many Children born, and ſtill
‘ has a Daughter living; contrary to the Opinion
‘ of ſeveral Doctors (which you urge alſo on your
‘ Behalf) and thoſe very learned and grave Men,
‘ and who confirm their Judgment both by the
‘ Laws of God, and by Arguments taken not only
‘ from the *Latins*, but likewiſe derived from the
‘ *Jewiſh* Law: Notwithſtanding all which we kept
‘ ourſelves unbiaſſed, inclined to favour neither Side,
‘ but to hear both, looking on this moſt extraordi-
‘ nary Cauſe not only to concern the whole Chri-
‘ ſtian World, but alſo to belong to all Poſterity.

‘ As-

K. *Henry* VIII.

'As for the Opinions of learned Men, and the Decrees of Universities, which you mention, few of 'them have come to our Notice, shewn us not in 'proper Form by your Ambassadors, nor in the 'Name of the King exhibited; and those were but 'bare Opinions of those Men, alledging no Reasons for their Determinations, nor supporting them 'by any Authority from Scripture or the Cannons, 'which herein ought only to prevail. Wherefore, 'to demand that we should rashly, and without 'due Consideration, determine any Thing herein 'in his Majesty's Favour, is a Thing neither righteous in itself, nor agreeable to your Wisdom. For 'although we owe much to his Highness, yet, in 'executing Judgment, we must necessarily much 'more regard him by whom Kings reign, and 'Princes decree Justice; and further, it is the Duty 'of a good Father to take Care that, by over Fondness, he do not too much indulge his Children: 'Besides, we should not only entangle our own, 'but also his Highness's Conscience, by such an 'hasty and inconsiderate Sentence; which, if thus 'unduly given, would, by its dangerous Example, 'greatly damage the whole Christian World. As 'for that Deluge of Calamities, which you fear is 'impending over your Kingdom, sure it were 'much more to be feared, if we should rashly 'hasten that Sentence which ought calmly to proceed in the streight Way of Justice and Reason; 'thereby violating both our own Duty, and departing from the Rules of Justice through too 'great Favour and Affection to your King. You 'cannot with more earnest Desire wish his Majesty 'a Son than we do, and that not only his Highness, but all Christian Princes had Sons like so 'great a King, the Inheritors not only of their 'Realms, but of such Princely Virtues; but we 'are not in the Stead of God that we can give 'Children. As to what you say, That we are unwilling to confirm, by our Authority, a Truth 'concerning the former Marriage, which by so 'many learned Men in the Kingdom is agreed up-

'on:

K. *Henry* VIII. ‘ on: We are truly willing to gratify his Highneſs
‘ in all Things wherein we are able by our Autho-
‘ rity; but then our Ability can't extend to thoſe
‘ Things which will deſtroy that Authority, as it
‘ would, if we ſhould judicially give Sentence con-
‘ trary to the uſual Methods and due Courſe of
‘ Law in any Thing, tho' it might appear never
‘ ſo plain and manifeſt to us. As for what you
‘ mention in the End of your Letter, That unleſs
‘ we grant your Requeſt herein, you ſhall imagine
‘ that the Care of yourſelves is remitted into your
‘ own Hands, and that you are left at Liberty to
‘ ſeek Remedy herein elſewhere: This is a Reſolu-
‘ tion neither worthy of your Prudence, nor be-
‘ coming your Chriſtianity; and we do therefore,
‘ of our Fatherly Love, exhort you to abſtain from
‘ any ſuch raſh Attempt; though it would be no
‘ Fault of the Phyſician, if the Patient, weary of
‘ his Diſtemper, ſhould raſhly and unadviſedly ven-
‘ ture upon Meaſures deſtructive to his Health.
‘ We indeed never denied you ſuch Remedies as
‘ might with Safety be given, and with Advantage
‘ received; for who is weak, and I am not weak?
‘ Who is offended, and I burn not? I write not
‘ theſe Things to ſhame you; but, as my beloved
‘ Sons, I warn you. We can't imagine that his
‘ Majeſty, on whoſe Account you write, can ap-
‘ prove your Writing in this Manner; for we know,
‘ and are ſo fully acquainted with his Honour and
‘ Integrity, that we are aſſured he would not accept
‘ of any Thing that is unjuſt, although it were of-
‘ fered him; and although your Interceſſion is in
‘ all Caſes of great Power and Prevalence with us,
‘ yet is our Love and Affection to his Highneſs
‘ ſuch, as to need neither the Intreaty nor Solicita-
‘ tion of any Perſons whatever to Influence or
‘ quicken it; and as we never remember that his
‘ Highneſs has ever yet made his Requeſt to us,
‘ and received a Denial, where it could be granted
‘ with Safety to our own and the Honour of the
‘ Apoſtolical See, ſo we ſhall always ſhew him
‘ the ſame Regard and Good-will. Laſtly, As to
‘ the

'the preſent Cauſe, we ſhall give no Hinderance or 'Delay to its Deciſion, ſo that when it is ready 'for Examination, and all the Circumſtances of it 'have been heard, it ſhall be brought to a ſpeedy 'Determination and final Concluſion; being ear-'neſtly deſirous to free your King and Queen, and 'our ownſelves, from this moſt troubleſome Af-'fair. But this we muſt deſire of his Highneſs, and 'of your Goodneſs, that you would not require 'more from us, by reaſon of his Majeſty's great 'Deſervings of us, than we can, without offending 'God, perform; and then you may aſſure your-'ſelves of all the good Offices which can be ex-'pected from us, conſidering the Perſon and Of-'fice we bear, and the Juſtice we are indiſpenſibly 'bound to adminiſter. *Given at St.* Peter's, Rome, '*under the Seal of the Fiſherman*, Sept. 27, 1530, '*in the ſeventh Year of our Pontificate.*' K. *Henry* VIII.

This Anſwer had very little Effect on the Minds of thoſe who were before reſolved to abrogate the Pope's Supremacy in *England*, and ſtrip the Church of its over-grown Poſſeſſions. Which the Parliament take little Notice of.

We read of no other Buſineſs done at this Seſſion than the writing and ſending the Letter to the Pope; and it was not till *January*, 1531, that any Statutes were made for the general Good of the Nation. On the 6th of which Month being again aſſembled, the firſt Thing we find was, that a Pardon for all Spiritual Perſons, ſigned by the King's own Hand, was ſent to the Lords; who, in a ſhort Time after, paſſed the Bill and ſent it to the Commons. When it was read in that Houſe, many froward Perſons, ſays *Hall*, would in nowiſe conſent to vote for the Bill, unleſs that all Men might be included in the Pardon; arguing, That every Man who had any Thing to do with the Cardinal, were in the ſame Caſe. To this it was anſwered, by the wiſer Sort, That they would not compel the King to give them his Pardon; and, beſides, it was uncharitably done in them to ſeek to hurt the Clergy, and do themſelves no Good. They

Anno Regni 22. 1531.

At *Weſtminſter*.

Debate on the King's Pardon.

K. *Henry* VIII. They rather advised the Houſe to conſent to the Bill, and afterwards to make Suit to the King for their Pardon. But this was not agreed to; and it was reſolved to ſend the Speaker to the King in the firſt Place, before they would paſs the Bill. Accordingly Sir *Thomas Audley*, Speaker of the Houſe of Commons, with a Number of Members along with him, waited on his Majeſty, and eloquently declared to him, 'That his faithful Commons ſore lamented and bewailed their Chance, 'in having Occaſion to think or imagine themſelves 'out of his Favour, becauſe he had granted his 'moſt gracious Pardon to his Spiritual Subjects on 'the *Præmunire*, and not to them; wherefore 'they moſt humbly beſought his Majeſty, out of 'his wonted Goodneſs and Clemency, to include 'them in the ſame Pardon.' The King, adds *Hall*, wiſely anſwered, 'That he was their Prince and 'Sovereign Lord, and that they ought not to reſtrain him of his Liberty, nor to compel him to 'ſhew his Mercy; for it was at his own Pleaſure, 'either to uſe the Extremity of his Laws, or to 'mitigate and pardon the ſame; wherefore, ſince 'they had denied to conſent to the Pardon of the 'Spiritual Perſons, which, he ſaid, he might have 'without their Conſent, under his Great Seal, he 'would be well adviſed before he pardoned them; 'becauſe he would not have it look as if he was 'compelled to do it.'

Upon this reſolute Anſwer, the Commons, very penſive and melancholy, departed. Some of the Members attributed this Uſage to *Thomas Cromwell*, who was juſt then taken into the King's Favour, and ſaid, that he had diſcloſed the Secrets of the Houſe. However the King did not ſuffer them to continue long in their Sorrow; for ſoon after, of his own Motion, a Pardon was drawn up and ſigned, which his Majeſty ſent to the Commons by *Chriſtopher Hales*, Eſq; his Attorney-General, which was ſoon aſſented to by that Houſe. The Commons returned their moſt humble Thanks, 'and much praiſed his Majeſty's Judgment, in 'that

'that he had denied a Pardon to them when they 'had unworthily demanded it, and had granted it 'when he perceived they were so sorrowful and pe- 'nitent.' K. *Henry* VIII.

The forecited Authority further tells us, That, on the 30th Day of *March*, the Lord-Chancellor, and a Committee of twelve more Spiritual and Temporal Lords, went to the House of Commons; where the Lord-Chancellor spoke to them to this Effect:

You of this worshipful House,

'I Am sure you be not so ignorant but you know 'well that the Kyng our Soveraign Lorde hath 'maried his Brother's Wyfe; for she was both wed- 'ded and bedded with his Brother Prince *Arthur*, 'and therefore you may surely say that he hath 'maried his Brother's Wyfe, if this Mariage be 'good as so many Clerkes do doubt: Wherefore the 'Kyng, like a virtuous Prince, willing to be satis- 'fied in his Conscience, and also for the Suretie of 'his Realme, hath, with great Deliberation, con- 'sulted with great Clerkes, and hath sent my Lorde 'of *London*, here present, to the chiefe Universities 'of all Christendome, to know their Opinion and 'Judgment in that Behalf. And altho' the Uni- 'versities of *Cambryge* and *Oxforde* had been suffi- 'cient to discusse the Cause, yet, because they be 'in his Realme, and to avoyde all Suspicion of 'Partiality, he hath sent into the Realme of *France*, '*Italy*, the Pope's Dominions, and *Venetians*, to 'know their Judgment in that Behalf; which have 'concluded, written, and sealed their Determina- 'tions, accordyng as you shall heare red.' Then Sir *Brian Tuke* took out of a Box twelve Writings sealed, and read them before the House as they were translated into the *English* Tongue.

The Lord-Chancellor communicates to the Commons the Proceedings on the Divorce.

Next follows, in *Hall*, the Judgment of the Foreign Universities; which were those of *Paris*, *Orleans*, *Anjou*, *Bruges*, *Bononia*, and *Padua*, at Length[1]. These being somewhat foreign to our

[1] These Sentences, with some more from other Foreign Parts, may be seen, at Length, in *Rymer*'s *Fœd. Ang.* Tom. XIV.

K. *Henry* VIII. Purpoſe, we ſhall therefore content ourſelves with obſerving, That the Queſtion put to theſe learned Societies was, *Whether the Pope's Diſpenſation for a Brother's marrying a Brother's Wife, after Conſummation with her former Huſband, was valid or not?* Which, as the Queſtion was ſtated, they all gave in the Negative.

Theſe Determinations being all read in the Houſe, there were produced above an hundred different Books, wrote by foreign Civilians and Divines, againſt the Lawfulneſs of the Marriage; which, ſays *Hall*, becauſe the Day was far ſpent, were not read. Then the Chancellor again ſaid, 'Now you 'of this Commen Houſe may reporte in your 'Countries what you have ſeene and heard; and 'then all Men ſhall openly perceyve that the Kyng 'hath not attempted this Matter of Wyll or Plea-'ſure, as ſome Straungers reporte, but only for the 'Diſcharge of his Conſcience, and Suretie of the 'Succeſſion of his Realme. This is the Cauſe of 'our Repayre hyther to you; and now we wyl de-'parte.'

Laws enacted. In this Seſſion the following Laws were enacted: 'That becauſe much Wooll was employed to Uſes not ſo beneficial to the Kingdom, and ſometimes tranſported by Strangers, it was decreed, that none ſhould buy Wooll in ſome principal Shires, to the Number of Twenty-eight, but thoſe who would make Cloth or Yarn thereof, and that Strangers ſhould not buy any till the *Purification* of our Lady.' But this being a Law that might likewiſe have its Inconveniency, was continued only for ten Years, as it had been in ſome former Kings' Times.

'Alſo a Law was made againſt Exactions on Apprentices, by Maſters, Wardens, &c. And this was beneficial for poor Men, who were not able to put their Children to learn Occupations without paying extraordinary Sums. A Remedy was alſo taken for repairing of decay'd Bridges and Highways, and the Manner of raiſing the Money, which before was uncertain, ſet down. The carrying over of Horſes, Mares, and Geldings alſo was forbidden, upon

upon a Penalty, to all Places but *Calais*. Moreover, K. *Henry* VIII. Denizens, notwithſtanding their Privileges, were ordered to pay ſuch Cuſtoms as they paid before. For which Purpoſe the Officers and Miniſters of Cities and Boroughs, *&c.* where ſuch Cuſtoms, *&c.* were due, were commanded to ſet up a Table in ſome open Place, containing the Particulars of them. Which Act was not extended to the Merchants of the Stillyard, called then *Teutonici:* Together with which it was provided, That the Tables touching Scavage to be ſet up at *London*, ſhould be firſt viewed and examined by the Chancellor and Treaſurer of *England*, the Preſident of the Council, the Lord Privy-Seal and Lord-Steward, and the two Chief Juſtices, or by four of them at leaſt, and by them ſubſcribed; and this was for preventing of the ſecret Exactions of Tolls, by Mayors, Sheriffs, *&c.* upon Wares to be ſold within their Precincts. A Law was made alſo againſt *Egyptians*, who, under Pretence of telling Fortunes, got Money and Credit among the more ignorant Sort. And whereas ſome penal Statutes were made heretofore againſt Strangers who were Handicrafts-men, it was declared, That the ſaid Strangers, being Bakers, Brewers, Surgeons, and Scriveners, were exempted, and not taken to be Handicrafs-men. And becauſe the Abuſe of taking Sanctuary, and flying to hallowed Places, was great about this Time, inſomuch that many Criminals finding Refuge and Protection in them, did there abjure the Realm, and ſo went into foreign Parts; by which Means they diſcovered the Secrets of the State, to the great Prejudice thereof: And whereas alſo, when they were to be tried before the Judges in the Circuits, they would plead they were taken out of ſome Sanctuary or hallowed Place, and Juſtice thereby delayed, divers good Orders were taken to remedy theſe Inconveniences;' which yet we mention not at large, becauſe they, together with the Uſe of Sanctuaries, were ſoon after wholly annulled and aboliſhed.

Hall mentions another Act, 'That whoſo poiſoned any Perſon, ſhould be put into hot Water

K. *Henry* VIII. and boiled to Death.' This Act was made, adds he, becauſe one *Richard Roofe*, in the Parliament Time, had poiſoned divers Perſons in the Biſhop of *Rocheſter*'s Palace, for which Fact he was boiled in *Smithfield*.

Anno Regni 23. 1532. On the 15th of *January*, 1532, the ſame Parliament ſat again; and, to ſhew what Effect the Pope's Anſwer to their Letter had had upon them, the firſt Thing they went upon in this fourth Seſſion, was to exhibit a Complaint in the Houſe of Commons againſt the Clergy, in regard to their Ordinaries, for calling Men before them, *ex Officio*, and charging them with Hereſy, without producing their Accuſers. Which was the more grievous to the Public, becauſe the Party, ſo cited, muſt either abjure or be burnt for an Heretic.

The Commons' Remonſtrance to the King againſt the Clergy. This, and other Complaints for Exactions done by the Clergy in their Eccleſiaſtical Courts, were long debated in the Houſe of Commons; at laſt, it was concluded and reſolved, That all theſe Grievances ſhould be put in Writing and preſented to the King. And, on the 18th of *March*, the Speaker, accompanied with divers Knights of Shires and Burgeſſes, went into the King's Preſence, and there declared to him how the Laity were ſore laid on by the cruel Demeanor of the Prelates and their Ordinaries, who ſpared neither their Bodies nor Goods. Then he delivered to his Majeſty a Schedule of their Grievances in Writing; and humbly beſeeched him to take ſuch Order, in that Caſe, as to his moſt high Wiſdom ſeemed moſt convenient. He further beſought the King to conſider what Fatigue, Charge, and Coſt, his humble Subjects of the Lower Houſe had ſuſtained, ſince the Beginning of this Parliament; and that it would pleaſe his Majeſty, out of his princely Benignity, to diſſolve it, that his Subjects might retire home to their own Countries.

When the King heard their Petition, he pauſed a while, and then ſaid,

His Anſwer. *It is not the Office of a King, who is a Judge, to be too eaſy of Belief; nor have I yet, nor will I uſe the ſame;*

same; for I will hear the Party accused speak before I give Sentence. Your Schedule contains several Articles of great and weighty Matters; and, as I perceive, is against the Prelates and Spiritual Persons of our Realm. This Thing you desire a Redress of and Reformation; which Desire is clean contrary to the last Part of your Petition; for there you require to have the Parliament dissolved, and to depart into your own Countries; and yet you would have a Reformation of your Grievances with all Diligence. Notwithstanding your Fatigue and Charge hath been great in tarrying here, I assure you mine hath been no less than yours, and yet all the Pains I take for your Welfare is to me a Pleasure; therefore, if you expect any Benefit in your Complaints, you must stay the Time, or else depart without Remedy. I much commend you that you will not contend or stand in Strife with the Clergy, who are your Christian Brethren; but much more you ought not, I think, to contend with Me, who am your Sovereign Lord and King, considering that I seek Peace and Quietness of you. I have sent to you a Bill concerning Wards and primier Seisin, in which Things I am greatly wronged; in this I have offered you Reason, as I think, and as the Lords do too, for they have passed the Bill and set their Hands to it; therefore I do assure you, if you will not take a reasonable Thing when it is offered, I will search out the Extremity of the Law, and then will I not offer you so much again. K. Henry VIII.

The Reason the King mentioned the Matter in the Conclusion of his Speech to them, was this: It was then become a Custom for Men to make Feoffments of their Lands to their Uses; and in their Wills to settle their Lands with such Remainders, that not only the King but all other Lords lost their Wards, Marriages, and Reliefs. The King also lost his primier Seisin and the Profit of the Livery, which was to him a great Loss: Wherefore, says *Hall*, he, like an indifferent Prince, not willing to take all nor to lose all, caused a Bill to be drawn by his learned Counsel, in which it was devised, That every Man might bequeath half his Land, so that he let the other Half go to the Heir by Descent.

K. *Henry* VIII. When this Bill came before the Commons, the ignorant Members oppoſed it mightily, and ſpoke very diſreſpectfully of the King's Counſel about it; but the wiſer Sort, who ſaw and underſtood the Miſchief to come, would gladly have had the Bill to paſs, or at the leaſt to have the King aſſured of a fourth Part. Which Offer, *Hall* ſays, he himſelf was credibly informed the King would have taken; but ſome wilful People would neither agree to the Bill as the Lords had done, nor to any reaſonable Qualification of the ſame. This they ſoon after much repented of, for the King called together the Judges and the ableſt Lawyers, and they diſputed the Matter in Chancery, and agreed that Land could not be bequeathed by Will, by the Cuſtom of the Common Law; whereupon an Act was made, that no Man might bequeath his Land, or any Part of it. Which Act, adds our Author, ſore grieved ſuch Lords and Gentlemen who had many Children to provide for; and ſhewed the Simple what Miſchief they had brought on themſelves by Blindneſs and Obſtinacy.

About this Time, on Occaſion of *Eaſter*, the Parliament was prorogued to the 10th of *April*; and, being once more met, the Lord-Chancellor, with the Dukes of *Norfolk* and *Suffolk*, the Earls of *Arundele*, *Oxford*, *Northumberland*, *Wiltſhire*, and *Suſſex*, were ſent by the Houſe of Lords to the Commons; when, being ſat down, the Lord-Chancellor declared to them, 'That the King had been 'informed by his Council, and eſpecially by the 'Duke of *Norfolk*, that on the Marches between '*England* and *Scotland* were very few Towns or 'Habitations on the *Engliſh* Side, but on the other 'many, ſo that the *Scots* inhabited up to the very 'Borders; for which Reaſon they invaded *England* 'ſeveral Times, and did the King's Subjects much 'Hurt and Diſpleaſure: That, in order to remedy 'this, his Majeſty intended to build Villages and 'Houſes on this Side, and alſo to renew ſeveral 'Piles and Stops to hinder theſe Invaſions, to the 'great Convenience of all the Inhabitants there-

'abouts:

'abouts: But as this Thing could not be done with- K. *Henry* VIII.
'out much Expence, the Lords, conſidering the
'King's good Intent in it, had agreed to allow ſome
'reaſonable Aid towards it, and prayed the Com-
'mons to conſult about the ſame:' Which ſaid, they all withdrew. The Commons took this Affair into Conſideration, and unanimouſly voted the King a Fifteenth, to ſupport the Expence; but it was not concluded this Seſſion: For, ſays *Hall*, a Plague ſuddenly breaking out at *Weſtminſter*, the Parliament was prorogued to the next Year.

A Fifteenth voted for Defence of the Northern Borders.

An Abſtract of the moſt remarkable Statutes, made in this Seſſion, is drawn out by Lord *Herbert*, as follows:

'Whereas it was uſual in former Times that Clerks, who committed petty Treaſon, Murder, or Felony, were, through a certain Privilege of the Church, delivered to their Ordinaries, who alſo thereupon, for Lucre or other undue Motives, did ſuffer them to make their Purgation by ſuch as nothing knew of their Miſdeeds, to the great Scandal of Juſtice: It was now enacted, That none ſhould have the Benefit of this Recourſe to the Ordinary, but thoſe who were within holy Orders, and yet to find ſufficient Sureties for their good Behaviour. This Act yet not to extend to thoſe who, being attainted of Felony or Murder, are after admitted to their Clergy, and ſo delivered to the Ordinary. It was provided alſo, That Ordinaries, having ſuch Perſons in their Cuſtody, might degrade them, and ſend them to the King's Bench to be detained.

Acts paſſed.

'It was enacted, alſo, how Perjuries and untrue Verdicts ſhould be puniſhed. And this was to the ſingular Benefit of the Subject, there being no Miſchief ſo eaſy to be done, ſo irreparable in its Conſequence, or unlimitted in its Extent, as thoſe of this Kind.

'And whereas the Commiſſion of Sewers, being about Sea-Walls, Gutters, Banks, *&c.* and Dams, Weers, *&c.* in freſh Rivers, was not particularly enough ſet down heretofore, it was now declared and interpreted: And this was much for the Benefit

K. *Henry* VIII. nefit of the Sea-Coasts, and making small Rivers navigable.

'Whereas also Statutes of the Staple were heretofore used only betwixt Merchant and Merchant, for such Merchandize of the Staple as passed betwixt them; the Use thereof was now permitted to others of the King's Subjects, upon certain Conditions: And this not only enlarged Contracts, but strengthened much the Sinews of them.

'Whereas heretofore the King's Subjects were ordinarily called by Citations to appear in the Arches, Audience, and other High Courts of the Archbishops of this Realm, to answer to many surmised Causes, and that they who refused were excommunicated or suspended from Divine Service, it was now enacted, That none should be so cited but in certain Cases declared in the said Statute.

'Feoffments of Lands also to the Use of a Church, as being little different from Mortmain, were made void.

'Whereas divers, having the Benefit of their Clergy, were afterwards committed to their Ordinaries, and did there break Prison, it was now declared Felony.

'Divers other good Statutes passed also this Session; which yet, for being merely local, or limited to certain Places, are not here recited.

Act relating to Payment of Annates to *Rome*.

'This Year also an Act passed, concerning Annates, or the First-Fruits of Bishoprics, paid usually to the See of *Rome*, for the obtaining of Palls, Bulls, *&c.*[m] the Preamble and Consideration whereof was, as appears in the *Records*, 1. The great Sums of Money already passed out of the Kingdom that Way, being no less than 160,000*l. Sterling*, since the second Year of *Henry* VII. 2. That more was likely to be shortly transported, by reason many of the Bishops are aged. 3. That the first Use and Grant of them was for maintaining Arms against Infidels. So that it was enacted, That they should henceforth cease, and no more Money to be paid to

[m] This Act is not printed in the *Statute-Books*, and therefore Bishop *Burnet* hath published it at Length, amongst the Collection of Records to his first Volume of the *Reformation*, N°. XLI.

to *Rome* to that Intent, except as is hereafter ſpe- K. *Henry* VIII.
ciſied, *viz.* Leſt the Court of *Rome* ſhould think themſelves irremunerated for their Pain in making and ſealing Bulls in Lead, *&c.* it was ordained, That there may be allowed for the ſaid Bulls Five Pounds in the Hundred, according to the Rate of each Biſhopric's clear Value above all Charges. And if any Man, being choſen to a Biſhopric, and preſented by the King to the Pope, ſhall hereupon find any Lett or Hinderance, by Reſtraint of his Bulls, upon convenient Suit for the ſame, then he may be named and preſented by the King's Highneſs to the Archbiſhop of the Province, who ſhall conſecrate him; or, the ſaid Archbiſhop delaying, under Pretence of wanting Pall, Bull, *&c.* the Perſon ſo named ſhall be conſecrated, and inveſted by any two Biſhops of the Land whom the King ſhall appoint thereto; and ſhall be held and reputed thereafter as a compleat Biſhop. But of this Act we ſhall ſpeak again, when we come to the 25th Year of the King: For though it paſſed the Parliament now, and the King gave his Aſſent thereto, yet Power was reſerved for him to annul or confirm the ſame any Time within two Years next following.

'Moreover, in this Statute, the King and his Parliament declare, That they do not intend to uſe any Extremity or Violence, before gentle and courteous Ways have been attempted: But if it ſhall pleaſe the King to propoſe an amicable Compoſition to the Pope, and his Holineſs ſhall be content either to aboliſh or moderate thoſe Annates, then the Compoſitions, ſo made, to ſtand firm: But if, upon the ſaid amicable Propoſitions, the Realm cannot be diſburdened, and that, for the Continuance of the ſame, the Pope ſhall unjuſtly vex and diſquiet the King or his Subjects by any Excommunication, *&c.* be it then enacted, by the Authority aforeſaid, That the King's Highneſs, his Heirs and Succeſſors, Kings of *England*, and all his Spiritual and Lay Subjects of the ſame, without any Scruple of Conſcience, ſhall and may lawfully, to

the

K. *Henry* VIII. the Honour of Almighty God, the Increaſe and Continuance of Virtue and good Example within this Realm, (the ſaid Cenſures, Excommunications, Interdictions, Compulſories, or any of them, notwithſtanding) miniſter, or cauſe to be miniſtered, throughout this ſaid Realm, and all other the Dominions and Territories belonging or appertaining thereunto, all and all Manner of Sacraments, Sacramentals, Ceremonies, or other Divine Service of Holy Church, or any other Thing or Things neceſſary for the Health of the Soul of Mankind, as they heretofore, at any Time or Times, have been virtuouſly uſed or accuſtomed to do within the ſame. And that no Manner of ſuch Cenſures, Excommunications, Interdictions, or any other Proceſs or Compulſories ſhall by any of the Prelates, or other Spiritual Fathers of this Realm, nor by any of their Miniſters or Subſtitutes, be at any Time or Times hereafter publiſhed, executed, or divulged, in any Manner of Ways.

'This Act being paſſed, our King made Uſe thereof to terrify the Pope, which had its Effect, as we find by our Ambaſſadors' Letters, dated from *Rome*, *April* 29, 1532; though together, as they were inſtructed from hence, his Holineſs was told by them, That our King had reſerved the whole Buſineſs to his own Power and Diſcretion; which however it appeaſed the Pope a-while, yet, as Matters paſſed afterwards, this Statute had its final Confirmation in the next Parliament.'

In the Beginning of this Year, our Contemporary Hiſtorian informs us, the Lady *Anne Boleyn* was ſo much in the King's good Graces, that the common People, who knew not the King's true Intent, thought the Queen's Abſence from him was only for her Sake. This harſh Expreſſion our Hiſtorian endeavours to ſoften, by informing us, that the true Reaſon for the King's Neglect of the Queen, was, becauſe he was openly rebuked by Preachers for keeping Company with his Brother's Wife; ſo that he reſolved to refrain himſelf till the Cauſe was fairly tried between them.

Henry forbears to cohabit with Queen *Katherine*

In

In *April*, and in the 24th Year of this King's Reign, the same Parliament met again, when the Affair of the Divorce began now again to be canvassed. The already repudiated Queen wanted not those who defended her Cause publickly, both in Books and Sermons; the chief of which were *John Fisher*, Bishop of *Rochester*, and *Thomas Abel*, her Chaplain. The Pope had also made his last Attack on *Henry*'s Conscience, by a mild expostulating Letter, kindly exhorting him to put away *Anne Boleyn*, and take again *Katherine* his lawful Wife. But all this did no Good on *Henry*; who being told that one *Temse*, a Member of the House of Commons, had made a Motion, this Session, *That they should all petition the King to take his Queen again*, he sent for Sir *Thomas Audley*, their Speaker, and talked to him to this Effect[n]: "That "he wondered any amongst them should meddle "in Businesses which could not properly be deter- "mined in their House: But, for this Particular, "it concerned his Soul so much, that he many "Times wished the Marriage had been good; yet, "since the Doctors of the Universities had gene- "rally declared it unlawful, he could do no less "than abstain from her Company: He therefore "desired them to take this as the true Reason, "without imputing it to any wanton Appetite; "since, being in the 41st Year of his Age, it "might justly be presumed such Motions were "not so strong in him as formerly. That they "might the better understand this, he told them "he had informed himself from all Parts of Chri- "stendom concerning strange Marriages; and "that, except in *Spain* and *Portugal*, no Man had "done so much as marry two Sisters, if the first "was carnally known[o]; but, for a Brother to "marry a Brother's Wife, was a Thing so ab- "horred

K. *Henry* VIII.

Anno Regni 24. 1533.

At *Westminster*.

A Motion in the Commons for the King to take her again.

He pleads Conscience for his Refusal.

[n] *Kennet*, Vol. II. p. 158, from *Hall*'s *Chronicle*, Fol. ccv. who says farther, That Mr. *Temse* mentioned several great Mischiefs, in bastardizing the Lady *Mary*, that must inevitably ensue.

[o] Against this Assertion *Polydore Vergil* hath left us this Testimony. After urging a Maxim in the *Levitical* Law, *Deut.* cap. xxv. That

K. *Henry* VIII. "horred amongſt all Nations, that he never "heard that any Chriſtian ever did ſo but him- "ſelf. He wiſhed them therefore to believe that "his Conſcience was much troubled about it."

Some Time after the King ſent for the Speaker again, to give him the Anſwer which the Clergy had delivered in, relating to the Complaints the Commons had exhibited againſt them in the laſt Seſſion. The King himſelf ſeemed not at all pleaſed with it; and further told them, "He had "found that the Clergy of his Realm were but his "Half-Subjects, or ſcarce ſo much, every Biſhop "or Abbot, at the entering into his Dignity, ta- "king an Oath to the Pope, derogatory to that of "their Fidelity to the King; which Contradiction "he deſired his Parliament to conſider on, and "take it away." Whereupon, ſays Lord *Herbert*, theſe two Oaths being read in the Houſe [p], and conſidered, they ſo handled the Buſineſs then, that it occaſioned a final Renunciation of the Pope's Supremacy in *England* two Years after.

Farther Proceedings as to the Papal Authority.

This Seſſion laſted from the Date aforeſaid to *May* 15 that Year; at which Time the Parliament was prorogued again; but no particular Time mentioned.

At the End of this Seſſion the famous Sir *Thomas More*, Lord-Chancellor, got Leave to reſign the Seals, and was ſucceeded by Sir *Thomas Audley*, Speaker of the Houſe of Commons, now knighted for that Purpoſe.

Anno Regni 24. 1533 4. In the Courſe of Lord *Herbert*'s Hiſtory we meet with no other Seſſion till the Beginning of the Year

At *Weſtminſter*. 1533; when, on *February* the 4th, the ſame Parliament ſat again, and made ſeveral Statutes.

The

That a Man may marry his Brother's Wife if ſhe had no Children by him, that his Name may not be loſt in *Iſrael*, he ſays. *Atque Caſus inopinatus interveniſſe dicitur, quaſi Teſtis non violatæ Virginitatis* Catharinæ, *quod ei* (Arthuris) *per Imbecillitatem Naturæ Viri admodum Adoleſcentis, Virginem adhuc eſſe licuerit, ſicut illa ſanctè affirmabat. & cum ea teſtabantur Fœminæ probatiſſimæ, quibus cum illa de Rebus ſuis Secretioribus ſæpe communicare ſolebat.* Pol. Verg. Lib. XXVII. p. 619.

[p] See the Form of theſe Oaths in the *Statutes at large*, and in *Burnet*'s *Reformation*, Vol. I. p. 133.

The chief Laws enacted were [q], 'That all Victuals should be sold by the larger Kind of Weight, *Avoirdupois*. That the Price of a Pound of Beef or Pork should be a Halfpenny at most; and of Mutton or Veal Three Farthings, and less where it was usually sold for less. This Law yet was finally repealed, in regard unseasonable Years did not permit a certain Rule in these Things, and some of the Lords of the Council were appointed to set the Prices. K. *Henry* VIII. Laws enacted.

'That they who killed any Person attempting to rob by or near the Highway, or that broke Houses, should be acquitted without forfeiting either Goods or Lands.

'That no Appeals should be made out of this Realm for these Reasons, *viz.* That whereas the Kingdom of *England* was a just Empire, furnished with such able Persons, both Spiritual and Temporal, as could decide all Controversies arising in it: And whereas *Edward* I. *Edward* III. *Richard* II. *Henry* IV. and other Kings of this Realm, had made sundry Ordinances, Laws, and Statutes, for the Conservation of the Prerogative, Liberties, and Pre-eminences of the said Imperial Crown, and of the Jurisdictions Spiritual and Temporal of the same, to keep it from the Annoyance of the See of *Rome*, as also from the Authority of other foreign Potentates attempting the Diminution or Violation thereof: And because, notwithstanding the said Acts, divers Appeals have been sued to the See of *Rome* in Causes Testamentary, Causes of Matrimony and Divorce, Right of Tythes, Oblations and Obventions, to the great Vexation and Charge of the King's Highness and his Subjects, and the Delay of Justice; and forasmuch as the Distance of the Way to *Rome* is such, as the necessary Proofs and true Knowledge of the Cause cannot be brought thither, and represented so well as in this Kingdom, and that therefore many Persons be without Remedy; it is therefore enacted, That all Causes Testamentary, Causes of Matrimony and Divorces, Tythes, Act to prohibit Appeals to *Rome*.

[q] *Kennet*, Vol. II. p. 132,

K. *Henry* VIII. Tythes, Oblations, and Obventions, either commenced or depending formerly, or which hereafter ſhall commence in any of the King's Dominions, ſhall be heard, diſcuſſed, and definitively determined within the King's Juriſdiction and Authority in the Courts Spiritual and Temporal of the ſame, any foreign Inhibition or Reſtraints to the contrary notwithſtanding: So that, altho' any Excommunication or Interdiction on this Occaſion ſhould follow from that See, the Prelates and Clergy of this Realm ſhould adminiſter Sacraments, and ſay Divine Service, and do all other their Duties, as formerly hath been uſed, upon Penalty of one Year's Impriſonment, and Fine at the King's Pleaſure; and they who procured the ſaid Sentences ſhould fall into a *Præmunire*[r]. As for the Orders to be obſerved henceforth, it was enacted, That in Suits commenced before the Arch-Deacon or his Officials, Appeal might be made to the Biſhop of the ſaid See; and from thence, within fifteen Days, to the Archbiſhop of *Canterbury*, or Archbiſhop of *York*, reſpectively in their Provinces, and ſo likewiſe to the Archbiſhops in the King's other Dominions. Or if Suit be commenced before the Arch-Deacon of any Archbiſhop or his Commiſſaries, then Appeal may be made within fifteen Days to the Court of Arches, and ſo to the Archbiſhops without farther Appeal: In all which Caſes the Prerogative of the Archbiſhop and Church of *Canterbury* was reſerved. That

[r] As this Term often occurs, in the Sequel of the Work, ſome Explanation here may be neceſſary.—The Etymology of the Word is taken from the Verb *Præmoneo*, (being barbarouſly turned into *Præmunire*) *To forewarn, or bid the Offender take Heed:* So that the Offence becomes greater by being forewarned of the Puniſhment. From thence it became a Cant-Word for a Writ of that Name, or the Offence upon which a Writ is granted; the one may be underſtood by the other. The Puniſhment was great, being appointed by the Statute of *Richard* II. *Anno* 16. cap. v. expreſly to be thus: 'That the Man ſhould be out of the King's Protection, attached in 'his Body, and loſe his Lands, Tenements, Goods, and Chattels.' See further on this Word in *Cowel*'s *Law Dictionary*, Edit. 1727. *Cambden* ſays it was perpetual Exile and Loſs of Living. *Camb. in Vita Eliz.*

The *French* have made this Word a Subſtantive, as indeed it is now uſed ſo in *Engliſh*; *Premunire*, i. e. *Empriſonnement et Confiſcation de Biens*. *Boyer*'s *Dictionary*.

That if any Suit arose betwixt the King and his Subjects, Appeal might be made within fifteen Days to the Prelates of the Upper House in the Convocation then sitting, or next called by the King's Writ, there to be finally determined: And that they who shall take out any Appeal contrary to the Effect of this Act, or refuse to obey it, they, their Adherents, and Counsellors, shall incur the Penalty of the Statute of 16 *Richard* II.'——And it is natural to suppose, that the Spirituality, finding the Power, invested formerly in the Pope, to be devolved now in great Part on them, did more easily suffer the Diminution of Papal Authority. K. *Henry* VIII.

'All former Statutes also made against the Excess of Apparel were repealed, and new Orders given, which yet stood not long: There being no Measure, it seems, for Things that depended so much upon Fancy and Opinion.'

This Parliament did so coincide with the King's Inclinations, that the Statute, to prevent Appeals to *Rome*, was made with an Intention to hinder Queen *Katherine* from carrying her Cause into that Court. And the poor Princess had now no other Way left but to rest by the Judgment of those, who were too much influenced by the King, or were her own mortal Enemies. Accordingly, the Queen being cited to appear before *Cranmer*, then Archbishop of *Canterbury*, and other Delegates, at *Dunstable*; and she not obeying the Summons, the Archbishop pronounced her contumacious, and proceeded to give Sentence against her; which was an absolute Separation, *a Mensa et Thoro*, for ever. This Affair was pushed the faster for a very good Reason, as Lord *Herbert* observes, because the Pregnancy of Mrs. *Anne Boleyn*, whom *Henry* had privately married, became so apparent, that it was necessary to make an open Declaration of it; and *Anne* was publickly crowned Queen of *England*, with the usual Ceremonies.

Queen *Katherine* divorced, and *Anne Boleyn* crowned Queen.

The Time of this last Session of Parliament was from *Feb.* 4, as before observed, to *April* 7, when it was then again prorogued to the Year following: And

K. *Henry* VIII. And now the *Journals* begin alſo again, ſo that the Subſtance of what we ſhall give, relating to the farther Proceedings of this Parliament, is chiefly taken from that Authority.

Anno Regni 25. 1534. The next Seſſion begun on the 15th Day of *January*, in the 25th Year of this Reign.

At *Weſtminſter*. The Buſineſs of the firſt Day was taken up in reading Appointments of Proxies for the abſent Lords; and an Adjournment was made by the Lord-Chancellor till the 17th of the ſame Month. On which Day, Complaint being made to the Houſe, that ſeveral wicked Facts had been committed, every Way worthy of Death, but by the Laws then in being, as the Judges declared, were not puniſhable as they ought to be, it was thought proper to ordain, That whatever Perſon, guilty of ſuch Wickedneſs, ſhould endeavour to ſkreen himſelf from Juſtice, by betaking himſelf to ſome conſecrated Place or Sanctuary, he ſhould loſe the Benefit of the Church's Protection; and that all Perſons found guilty of Sodomitical Practices ſhould ſuffer Death for them. Which Crimes were remitted by the Houſe to the Conſideration of the Judges, and they were ordered to draw up two Bills for that Purpoſe. Theſe Bills were both Strokes at the Eccleſiaſtics and their Authority, as will be ſeen in the Sequel.

Acts for retrenching Eccleſiaſtical Power.

An Affront, of a very ſingular Kind, was offered by the Houſe of Commons againſt the Biſhop of *London* this Seſſion. Complaint being made by them to the Lords, That the Biſhop had a long Time impriſoned one *Thomas Philips*, on Suſpicion of Hereſy, the Lords diſmiſſed the Complaint as a Buſineſs too frivolous for that Court. But the ſaid Biſhop of *London* was again required, by the Commons, to anſwer to the Complaint in Writing; whereupon he acquainted the Lords, that he might have their Opinion; and they all agreed, *That it was not a Thing fit for a Peer to anſwer to in ſuch a Place.*

The Biſhop of *London* refuſes to anſwer to the Commons' Complaint.

Many were the Acts that were paſſed in this Seſſion of Parliament, tho' the *Statute-Books* have much

much abridged them in their Number. These only making them to be twenty-two, whereas the *Journals* give us the Titles of thirty-four. Lord *Herbert* has drawn up the Heads of the most remarkable Statutes that are printed, and what he hath omitted we shall subjoin from the aforesaid Authority. K. *Henry* VIII.

Acts passed.

It was enacted [s], 'That the Price of Victuals should not be enhanced without just Ground and Reason. If they were, then, upon Complaint thereof, the Lord-Chancellor and others, who had Authority given them herein, should tax the said Victuals how they should be sold, either by the Owners or by Victuallers. Also that no Corn or Cattle be carried beyond Sea, without the King's Licence, unless either to *Calais*, *Guisnes*, *Hammes*, and their Marches, or for victualling of Ships, *&c.*

'That no Man indicted of Murder, Burglary, or other Felony, and upon his Arraignment standing mute, to prevent the Process of the Law against himself, shall have Benefit of his Clergy; but Law shall proceed against him for the Crime whereof he is indicted, as if he had pleaded to the same, and thereupon had been found guilty.

'Buggery made Felony.

'*Elizabeth Barton* [t], called the *Holy Maid* of *Kent*, and her Accomplices, were attainted of High Treason, for conspiring to slander the Divorce between the King and Queen *Katherine*, and the late Marriage between him and Queen *Anne*.

[s] Abstracts of all the Acts passed this Session may be seen also in *Burnet*, Vol. I. p. 144, *&c.* *Collier's Ec. Hist.* Vol. II. p. 87, *&c.*

[t] Whilst the Divorce was under Debate, one *Elizabeth Barton*, commonly called the *Holy Maid* of *Kent*, a Votaress in *Canterbury*, was taught by *Booking*, a Monk, to counterfeit many Trances, and in the same to utter many pious Expressions to the Rebuke of Sin; under which she was heard the more freely against the Doctrine of *Luther* and the Translation of the Scriptures, then desired by many. Also giving forth, from God and his Saints, by sundry Revelations, That if the King proceeded in his Divorce and second Marriage, he should not reign in his Realm one Month after, nor rest in God's Favour an Hour: But, the Imposture being detected, she and seven of her Accomplices were hang'd at *Tyburn* for Treason, and others of them fined and imprisoned. *Howell's Medulla Hist.* Ang. *An.* 1534.

The whole Process against this *Elizabeth Barton* is in *Hall's Chronicle*, Fol. ccxx, *&c.* and *Burnet*, Vol. I. p. 149, *&c.*

K. *Henry* VIII. ‘Becauſe, by the Greedineſs of ſome, who have gotten into their Hands much Cattle and many Farms, which they have turned from Tillage to Paſture, eſpecially for Sheep, old Rents are raiſed, Prices of Things enhanced, and ſo much Poverty and Theft enſued, it was enacted, That no Clerk ſhould have in his own, or farmed Lands, above 2000 Sheep; yet that any Temporal Perſon may keep upon his Inheritance as many as he will. *Secondly*, That no Man ſhall take and hold above two Farms at once, and thoſe to be in the ſame Pariſh, upon certain Penalties there ſet down.

‘The Statute of *Heny* IV. concerning Heretics, was repealed; and it was enacted, That Sheriffs in their Turns, and Stewards in their Leets, may make Inquiry and Preſentment of Heretics; who, being by two lawful Witneſſes accuſed, may be cited and arreſted by an Ordinary; and, being convicted in open Court, ſhall abjure their Hereſies; and, refuſing ſo to do, or relapſing, ſhall be burnt.

‘Alſo the Statute of *Richard* III. permitting free Importation of all Kind of Books, was repealed; and, for the Benefit of our Bookbinders, it was enacted, That no Bookſeller ſhould buy any Books bound beyond Sea; nor any, tho' unbound, of any Stranger, but by Engroſs: And if the Prices of Books chance to be raiſed above Reaſon, the Lord-Chancellor, Lord-Treaſurer, the Chief-Juſtice of either Bench, or any two of them, ſhall moderate the ſame, upon a certain Penalty.

‘Whereas the Clergy have truly acknowledged, that the Convocation is always aſſembled by the King's Authority, and have promiſed his Majeſty that they will not henceforth make or alledge any new Conſtitution without his Highneſs's Aſſent and Licence: And whereas divers Conſtitutions and Canons, Provincial and Synodal, heretofore enacted, are thought to be prejudicial to the King's Prerogative, and contrary to the Statutes of the Realm, and enormous to the People; and the ſaid Clergy therefore hath humbly beſought his Majeſty that the ſaid Conſtitutions and Canons may be committed to the Ex-

Examination of thirty-two Men, to be named by his Majesty, or sixteen of both Houses of Parliament, and sixteen of the Clergy, who may annul or confirm the same, as they find Cause; it is enacted, That all Convocations shall be henceforth called by the King's Writ, and that in them nothing shall be promulged or executed without his Highness's Licence, under Pain of Imprisonment of the Authors, and Mulct at the King's Will. And that his Highness shall, at his Pleasure, seeing the Time of this Parliament is too short, appoint thirty-two Men as aforesaid, to survey the said Canons and Constitutions, for the Confirmation or Abolition of the same. K. *Henry* VIII. Convocations to be called by the King's Writ.

'And as concerning Appeals, they shall be made, according to the Statutes made the last Year, from inferior Courts, to the Archbishops; and, for Lack of Justice there, to the King's Majesty in his Court of Chancery.

'And as concerning Annates used to be paid to *Rome* by Archbishops and Bishops, and Bulls and Palls to be had from thence, since there hath been heretofore an Act passed, and the Bishop of *Rome*, otherwise called *Pope*, being informed thereof, hath as yet devised no Way with the King's Highness for Redress of the same; his Highness hath now confirmed and ratified the same Act, and every Article thereof, and the Parliament doth enact the same, with this Addition, That from henceforth no Bishop shall be commended, presented, or nominated by the Bishop of *Rome*, nor shall send thither to procure any Bulls or Palls, *&c.* but that, at every Vacancy of a Bishopric, the King shall send to the Chapter of the Cathedral a Licence, as of old hath been accustomed, to proceed to Election; which Election, being deferred above twelve Days next ensuing, shall belong to the King; but, being made within the Time limited, shall be held firm and good; and the Person so elected, after Certification of his Election to the King's Highness, and Oath of Fealty taken to him, shall be stiled Bishop Elect; and so by his Majesty be commended to the Arch- Payment of Annates to the Pope forbid;

K. *Henry* VIII. biſhop of the Province, to be inveſted and conſecrated: And if the Perſons, to whom this Election or Conſecration belongeth, neglect or refuſe to perform the ſame, or admit, or execute any Cenſures, Interdictions, &c. to the contrary, they ſhall incur the Penalty of the Law of *Præmunire*.

'Whereas the People of this Land have been much impoveriſhed by the uſurped Exactions of the Biſhop of *Rome*, under the Title of *Peter-Pence* [u], Procurations, Expedition of Bulls, Delegacies, Diſpenſations, &c. it is enacted, That ſuch Impoſition be no more paid; and that neither the King's Highneſs, nor any Subject of his, ſhall ſue for any Diſpenſation, Faculty, Delegacy, &c. to the See of *Rome*; but that any ſuch Diſpenſation, &c. for Cauſes not being contrary to the Law of God, which were wont to be had from *Rome*, may be now granted by the Archbiſhop of *Canterbury*, as well to the King's Highneſs, as to his Subjects; but in thoſe Things which were not wont to be granted by the See of *Rome*, the ſaid Archbiſhop ſhall not meddle, without the King's Licence. Provided that all Diſpenſations, &c. whoſe Expedition at *Rome* came to four Pounds and upwards, ſhall be confirmed by the King's Seal and inrolled in Chancery; thoſe below four Pounds paſſing under the Archbiſhop's Seal only. That the Fees for theſe

And alſo of *Peter-Pence*.

[u] *Peter-Pence* hath been ſo often mentioned in the Courſe of this Work, that it ſeems neceſſary to give ſome Account of it, eſpecially at this Time, when it was wholly aboliſhed in *England*. An eminent Author ſays, he found a Copy of the yearly Value of this holy Tax in an old MS. belonging to the Church of *Chicheſter*.

Epiſcop.	*l.*	*s.*	*d.*	*Epiſcop.*	*l.*	*s.*	*d.*
Cant.	7	18	0	Exon.	9	5	0
London.	10	10	0	Wigorn.	10	5	0
Roffen.	5	10	0	Hereford.	6	0	0
Norwicen.	21	10	0	Bathon.	12	0	0
Elien.	5	0	0	Sariſbur.	17	0	0
Lincoln.	42	0	0	Covent.	10	0	0
Ciceſtren.	8	0	0	Eborac.	11	10	0
Winton.	17	6	8				
				Summa Totalis.	193	14	8

An Hiſtorical Vindication of the Church of England, *by Sir* Roger Twyſden. *Quarto*, London, 1657, p. 77.

these Dispensations shall be limited by the said Archbishop and the Lord-Chancellor; and a Part of the same, be they great or small, shall always come to the King's Hands. As for all Monasteries, Colleges, and Hospitals, heretofore exempt, the King only, and not the Archbishop, should have Authority to visit them. K. *Henry* VIII.

'Lastly, upon the Suit of the Parliament to the King, for the establishing of the Succession to the Crown, the Uncertainty whereof hath caused heretofore much Division and Bloodshed in this Realm, it was enacted, That the King's Marriage with the Lady *Katherine*, Wife, and carnally known, to his Brother Prince *Arthur*, as was lawfully proved before *Thomas* Archbishop of *Canterbury*, as contrary to God's Law, shall be held void, and she stiled no more Queen, but Dowager to Prince *Arthur*; and the Matrimony with Queen *Anne* shall be taken for firm and good, and the Issue thence procreate be accounted lawful; the Inheritance of the Crown to belong to the same in Manner following, *viz.* First, to the eldest Son begotten by the King on Queen *Anne*, and to the Heirs of the said Son lawfully begotten; and, for Default of such Heir, then to the second Son, *&c.* and if Queen *Anne* decease without Issue Male, then the Crown to descend to the Son and Heir of the King's Body lawfully begotten, and the Heirs of the said Son lawfully begotten; and, for a Default of such Issue, to the second Son in like Manner, *&c.* And for Default of Sons, that then the Crown shall belong to the Issue Female of the Kingby Queen *Anne*; and first, to the First-begotten the Princess *Elizabeth*, and to the Heirs of her Body lawfully begotten; and, for Default of such Issue, then to the second Daughter in like Sort, *&c.* and, for Default of all such Issue, to the right Heirs of the King's Highness. It was ordained, That this Act shall be proclaimed before *May* next throughout the Kingdom; and all Persons of Age shall swear to accept and maintain the same: They who refuse the Oath standing guilty of Misprision of High Treason; and they who speak or write

The King's Marriage with Queen *Katherine* declared void, and that with *Anne Boleyn* confirmed by Law.

K. *Henry* VIII. againſt the Marriage or Succeſſion here eſtabliſhed, to be adjudged Traitors.

'Beſides all this, the preſent Statute expreſſed certain Degrees of prohibited Marriage; amongſt which that between the Brother and Brother's Wife was one, which, being againſt God's Laws, could not be diſpenſed with by Man, and therefore no ſuch Marriages ſhall hereafter be made; and thoſe that are made already ſhall be by the Ordinary diſſolved, and thoſe that are already ſo diſſolved ſhall be eſteemed juſtly and lawfully diſſolved, and the Iſſue thence proceeding illegitimate.

Beſides the Acts mentioned by Lord *Herbert* to be paſſed this Seſſion, there was another intended for attainting Biſhop *Fiſher* and Sir *Thomas More*, for holding ſome Correſpondence with the *Holy Maid* of *Kent*: But there appearing no Malignity in this Commerce, the King, on their humble Submiſſion, prevented the Bill from paſſing. *Fiſher*'s Letter to the Houſe of Lords, on this Occaſion, excuſing himſelf from having any ill Intent in the Matter, is ſo ſingular as to merit a Place in theſe Inquiries.

My Lords,

Biſhop *Fiſher*'s Vindication of himſelf in Relation to the *Holy Maid* of *Kent*.

'After [x] my moſt humble Commendations unto all your good Lordſhips that ſit in this moſt High Court of Parliament, I beſeech in like Manner to hear and to tender this my Suit, which by Neceſſity I am now driven to make unto all your Lordſhips in Writing; becauſe I may not, by reaſon of Diſeaſe and Weakneſs at this Time, be preſent myſelf before you, without Peril of Deſtruction of my Body, as heretofore I have written to Mr. *Cromwell*; which gave me Comfort to obtain, of the King's Grace, Reſpite for my Abſence till I be recovered. If I might have been preſent myſelf, I doubt not but the great Weakneſs of my Body, with other manifold Infirmities, would have moved you much rather to have Pity of my Cauſe and Matter, whereby I am put under this grievous Trouble.

'So

[x] *Collier*'s *Eccleſiaſt. Hiſt.* Vol. II. p. 87, from the Original, *Cotton, Cleop.* E. VI. Fol. 166.

'So it is, my good Lords, that I am informed K. *Henry* VIII.
'of a certain Bill that is put into this High Court,
'againſt me and others, concerning the Matter of
'the Nun of *Canterbury*; which Thing is to me
'no little Heavineſs, and moſt ſpecially in this
'piteous Condition that I am in.

'Nevertheleſs, I truſt in your Honours' Wiſdoms
'and Conſciences, that you will not, in this High
'Court, ſuffer any Act or Condemnation to paſs
'againſt me, till my Cauſe may be well and duly
'heard. And therefore, in my moſt humble ways,
'I beſeech all you my Lords in the Way of Cha-
'rity, and for the Love of *Chriſt*, and for the
'mean Seaſon, it may pleaſe you to conſider that
'I ſought not for this Woman's coming unto me,
'nor thought in her any Manner of Deceit. She
'was the Perſon that, by many probable and likely
'Conjectures, I then reputed to be right honeſt,
'religious, and very good and virtuous. I verily
'ſuppoſed that ſuch Feigning and Craft, compaſ-
'ſing of any Guile or Fraud, had been far from
'her: And what Default was this in me ſo to
'think, when I had ſo may probable Teſtimonies
'of her Virtue?

'*Firſt*, The Bruit of the Country, which ge-
'nerally called her the *Holy Maid*.

'*Secondly*, Her Entrance into Religion upon
'certain Viſions, which was commonly ſaid that
'ſhe had.

'*Thirdly*, For the good Religion and Learning
'that was thought to be in her Ghoſtly Father,
'and in other virtuous and well learned Prieſts
'that then teſtified of her Holineſs, as it was com-
'monly reported.

'*Finally*, My Lord of *Canterbury*, that then
'was both her Ordinary and a Man reputed of
'high Wiſdom and Learning, told me that ſhe
'had many great Viſions: And of him I learned
'greater Things than ever I heard of the Nun
'herſelf.

'Your Wiſdoms, I doubt not, here ſee plainly
'that in me there was no Default to believe this
'Woman

K. *Henry* VIII. ‘ Woman to be honeſt, religious, and of good ‘ Credence.

‘ For ſith then I am bounden by the Law of ‘ God, to believe the beſt of every Perſon untill the ‘ contrary be proved, much rather I ought ſo to ‘ believe of this Woman that had then ſo many ‘ probable Teſtimonies of her Goodneſs and Virtue.

‘ But here it will be ſaid, That ſhe told me ſuch ‘ Words as was to the Peril of the Prince, and of ‘ the Realm. Surely I am right ſorry to make any ‘ Rehearſal of her Words, but only that Neceſſity ‘ ſo compels me now to do.

‘ The Words that ſhe told me concerning the ‘ Peril of the King's Highneſs were theſe: She ſaid ‘ that ſhe had her Revelation from God, that if the ‘ King went forth with the Purpoſe that he intend- ‘ ed, he ſhould not be King of *England* ſeven ‘ Months after; and ſhe told me alſo that ſhe had ‘ been with the King, and ſhewed unto his Grace ‘ the ſame Revelation.

‘ Though this was forged by her or any other, ‘ what Default is mine, that knew nothing of that ‘ Forgery? If I had given her any Counſel to the ‘ Forging this Revelation, or had any Knowledge ‘ that it was feigned, I had been worthy of great ‘ Blame and Puniſhment: But whereas I never ‘ gave her any Counſel to this Matter, nor knew ‘ of any forging or feigning thereof, I truſt in your ‘ great Wiſdoms that you will not think any De- ‘ fault in me touching this Point.

‘ And as I will anſwer before the Throne of ‘ *Chriſt*, I knew not of any Malice or Evil that ‘ was intended by her, or by any other earthly ‘ Creature, unto the King's Highneſs: Neither ‘ her Words did ſo ſound that by any temporal or ‘ worldly Power ſuch Thing was intended, but ‘ only by the Power of God, of whom, as ſhe ‘ then ſaid, ſhe had this Revelation to ſhew unto ‘ the King.

‘ But here it will be ſaid, That I ſhould have ‘ ſhewed the Words unto the King's Highneſs. ‘ Verily, if I had not undoubtedly thought that ſhe ‘ had

'had ſhew'd the ſame Words unto his Grace, my K. *Henry* VIII.
'Duty had been ſo to have done. But when ſhe
'herſelf, which pretended to have this Revelation
'from God, had ſhew'd the ſame, I ſaw no Neceſ-
'ſity why that I ſhould renew it again to his Grace.
'For her eſteemed Honeſty, qualified as I ſaid be-
'fore with ſo many probable Teſtmonies, affirm-
'ing unto me that ſhe had told the ſame unto the
'King, made me right aſſuredly to think, that ſhe
'had ſhewed the ſame Words to his Grace.

'And not only her own Saying thus perſuaded
'me, but her Prioreſs's Words confirmed the ſame,
'and their Servants alſo reported to my Servants,
'that ſhe had been with the King. And yet, be-
'ſides all this, I knew it not long after by ſome
'others that ſo it was indeed. I thought therefore
'that it was not for me to rehearſe the Nun's
'Words to the King again, when his Grace knew
'them already, and ſhe herſelf had told him before.
'And ſurely divers other Cauſes diſſuaded me ſo to
'do, which are not here openly to be rehearſed.
'Nevertheleſs, when they ſhall be heard, I doubt
'not but they will altogether clearly excuſe me as
'concerning this Matter.

'My Suit therefore unto all you, my Honour-
'able Lords, at this Time, is, That no Act of Con-
'demnation concerning this Matter be ſuffered to
'paſs againſt me in this High Court before that I
'be heard, or elſe ſome other for me, how that I
'can declare myſelf to be guiltleſs herein.

'And this I moſt humbly beſeech you all, on
'your charitable Goodneſſes, and alſo, if that per-
'adventure in the mean Time there ſhall be thought
'any Negligence in me for not revealing this Mat-
'ter unto the King's Highneſs, you, for the Pu-
'niſhment thereof which is now paſt, ordain no
'new Law; but let me ſtand unto the Laws
'which have been heretofore made, unto the
'which I muſt and will obey.

'Beſeeching always the King's moſt noble Grace,
'that the ſame his Laws may be miniſtred unto me
'with Favour and Equity, and not with the ſtrict-

'eſt

K. *Henry* VIII. ‘eſt Rigour, I need not here to adviſe your moſt ‘high Wiſdoms to look up to God, and upon your ‘own Souls in ordaining ſuch Laws for the Puniſh- ‘ment of Negligences, or of other Deeds which are ‘already paſt, nor yet to look upon your own Pe- ‘rils which may happen to you in like Caſes; for ‘there ſits not one Lord here but the ſame, or other ‘like, may chance unto himſelf that now is imputed ‘unto me.

‘And therefore eftſoons I beſeech all your benign ‘Charities to tender this my moſt humble Suit as ‘you would be tendered if you were in the ſame ‘Danger yourſelves: And this to do for the Reve- ‘rence of *Chriſt*, for the Diſcharge of your own ‘Souls, and for the Honour of this moſt High ‘Court; and, finally, for your own Sureties, and ‘others that hereafter ſhall ſucceed you: For I ve- ‘rily truſt in Almighty God, that by the Succour ‘of his Grace, and your charitable Supportations, ‘I ſhall ſo declare myſelf, that every Nobleman ‘that ſits here ſhall have good Reaſon to be there- ‘with ſatisfied. Thus our Lord have you all, this ‘moſt Honourable Court, in his Protection. *Amen.*

This Seſſion of Parliament continued till *March* 30; on which Day the Lord-Chancellor, by the King's Command, ordered that all and ſingular the Lords Spiritual and Temporal, in their Parliament-Robes, together with the Members of the Houſe of Commons, ſhould appear at the ſame Place, at two o'Clock in the Afternoon. At which Time, the three Eſtates of the Realm being aſſembled, the King on the Throne, the Lords by Name in the Journal, being ſeated according to their Ranks and Dignities, and the whole Houſe of Commons attending, Sir *Humphrey Wingfield*, Knight, then Speaker of that Houſe, made an elegant Speech, ſays our Authority, to the King, on preſenting the Bills for the Royal Aſſent; which was kindly and graciouſly accepted. Sir *Thomas Audley*, Knight, Lord-Chancellor of *England*, by the King's Command, returned an Anſwer to it; and gave Thanks to all the Members of both Houſes, for their great Care and Con-

Conduct in making so many excellent Laws for the Public Good. Which Bills being all read and assented to, the Chancellor prorogued the Parliament to the 3d Day of *February* next ensuing; on which Day, he said, it was the King's absolute Command that they should all, without further Notice, attend. K. *Henry* VIII. The Parliament prorogued.

The Chancellor likewise took Notice of one particular Act, made this Session, concerning the Settlement of the Crown on the King's Issue, by *Anne*, his present Queen, as the principal and most useful of them all. In this it was enacted amongst other Matters, That all and singular Person or Persons should take an Oath to do and fulfil every Ordinance comprehended in the said Act. On the due Observation of which, he added, the Good and Happiness of this Kingdom chiefly depended. To which End, the King, by his Letters Patent, had constituted and appointed the said Lord High Chancellor of *England*, the Archbishop of *Canterbury*, *Thomas* Duke of *Norfolk*, Lord-Treasurer, and *Charles* Duke of *Suffolk*, who first took the Oath, annexed to the Letters Patent, in the King's Presence, to swear all the rest of the Lords Spiritual and Temporal, with the Members of the House of Commons in the same Manner, as appears by a Transcript of the said Act, to which all the Jurors subscribed their Names. After this, the King and all the rest retired.

Next follows the Commission itself, which was to this Effect:

HENRY VIII. *by the Grace of God*, &c. *to the Most Reverend Father in* Christ, Thomas *Archbishop of* Canterbury. [With the rest aforenamed.]

The King's Commission for Swearing to the Act of Succession in Favour of *Anne Boleyn*.

'WHereas we are well assured of your Fidelity and provident Circumspection for the Public Good; know ye, That, by the Tenor of these Presents, we give full Power and Authority to you three, or to any two of you, to take and receive the Oath and Assurance of all and singular Dukes, Earls, Barons, Bishops, Abbots, Priors, Knights, and

K. *Henry* VIII. 'and all other our Liege Subjects of any State and 'Degree whatsoever, according to the Force and 'Intent of a certain Statute, made in this present 'Parliament, concerning our present State, Secu-'rity, and Succession; and according to the Form 'of the Oath thereunto annexed. Moreover, that 'you take Care to return the Names of all those 'so sworn, as also these Patents, under your Seals, 'into our Chancery. And herein we desire you 'will use all possible Diligence and Dispatch.'

Witness ourself at Westminster, March 30, *in the 25th Year of our Reign.*

The OATH.

The Oath. *YE shall sweare to beare Faith, Truth, and Obedience all onely to the King's Maiesty, and to his Heires of his Body of his most deare and entirely beloued lawful Wife Queene* Anne *begotten and to be begotten: And further to the Heires of our said Souereign Lord, according to the Limitation in the Statute made for Surety of his Succession in the Crowne of this Realme mentioned and contained, and not to any other within this Realme, nor foreine Authority or Potentate. And in Case any Oath be made, or hath beene made, by you to any Person or Persons, that then ye to repute the same as vain and adnihilate. And that to your Cunning, Wit, and uttermost of your Power, without Guile, Fraud, or other vndue Meane ye shall obserue, keepe, maintaine, and defend the said Act of Succession, and all the whole Effects and Contents thereof, and all other Acts and Statutes made in Confirmation, or for Execution of the same, or for any Thing therein contained. And this ye shall doe against all Manner of Persons, of what Estate, Dignity, Degree, or Condition soever they be. And in no ways doe or attempt, nor to your Power suffer to be done or attempted, directly or indirectly, any Thing or Things, priuately or openly, to the Let, Hinderance, Damage, or Derogation thereof, or of any Part of the same, by any Manner of Meanes, or for any Manner of Pretence. So help you God, and all Saints, and the Holy Euangelists.*

We

We shall next subjoin an Abstract of the Heads of the most remarkable Statutes, mentioned in the *Journal-Books*, as passed in this Session of Parliament, and are not taken Notice of either in the printed Statutes, or in Lord *Herbert* or other Historians; the *Statute-Books* only making them twenty-two in Number, but the *Journals* thirty-four. This is remarkable, because some of these Statutes have a plain Reference to the History of these Times, and seem to want a farther Explanation. K. *Henry* VIII.

An Act concerning the Confirmation of Dower to the Lady *Katherine*, late Wife to Prince *Arthur*, eldest Son to King *Henry* VII. Acts passed.

Another for abrogating the usurped Authority of the Pope of *Rome*; who for a long Time has unlawfully used it in this Kingdom.

Another for the confirming the Jointure, settled upon the most excellent Princess the Lady *Anne*, Queen of *England*.

An Act for depriving the Bishops of *Salisbury* and *Worcester* from their Sees [a].

For confirming to the King and his Heirs the Lands belonging to the Priory of *Christ-Church* in *London*.

An Act to declare the Manner of Elections and Confirmations of Archbishops and Bishops within this Realm.

Another concerning a Confirmation of the Marriage between our most illustrious King and the most excellent Princess *Anne*, his Wife, lately solemnized.

With several other more private Bills.

King *Henry* and his Parliament agreed so very well together in every Thing, that it now plainly appears, by these frequent and annual Prorogations, that he had no Mind to part with them till the great Work of Reformation, which he had taken in Hand, was accomplished. Much had been already done towards it, but much more remained behind to

[a] These Bishops were two *Italians*; the one was *Lawrence Campegius*, a *Roman* Cardinal, made Bishop of *Salisbury*, by Papal Provision, 1525; and the other *Jerome de Ghinucci*, Bishop of *Worcester*, *Anno* 1523. Both deprived for Non-Residence. *Le Neve's Fasti Ecc. Ang.*

K. *Henry* VIII. to do; by far more difficult and dangerous than the other. However, the next Seſſion of this Parliament gave the King ſeveral convincing Proofs of their great Zeal for his Service; and, as Lord *Herbert* obſerves, the Statutes then enacted were ſo important, as evidently to ſhew the great Reſpect and Awe borne by the Nation to their King.

The *Journal-Books* here again forſake us; the Seſſions of Parliament, in the 26th and 27th Years of this King, being loſt from the Office; ſo that we muſt depend upon the printed Statutes and Hiſtories for the farther Proceedings of this Parliament to its Diſſolution.

According to the laſt Prorogation, they met again on *February* the 3d by the *Statute-Books*, but *Hall* and Lord *Herbert* ſay *November* the 3d; at which Time the following Acts were made.

Anno Regni 26. 1535. 'The firſt was to this Effect: That albeit the King was the Supreme Head of the Church in *England*, and ſo recognized by the Clergy of this Realm in their Convocations; yet, for more Corroboration thereof, as alſo for extirpating all Errors, Hereſies, and Abuſes of the ſame, it was enacted, That the King, his Heirs, and Succeſſors, Kings of *England*, ſhould be accepted and reputed the Supreme Head on Earth of the Church of *England*, called *Eccleſia Anglicana*; and have and enjoy, united and annexed to the Imperial Crown of this Realm, as well the Title and Stile thereof, as all Honours, Dignities, Preheminences, Juriſdictions, Privileges, Authorities, Immunities, Profits, and Commodities to the ſaid Dignity of Supreme Head of the ſame Church belonging or appertaining. And that our ſaid Sovereign Lord, his Heirs and Succeſſors, Kings of this Realm, ſhall have full Power and Authority, from Time to Time, to viſit and repreſs, redreſs, reform, order, correct, reſtrain, and amend all ſuch Errors, Hereſies, Abuſes, Offences, Contempts, and Enormities whatſoever they be, which, by any Manner of Spiritual Authority or Juriſdiction, ought or may lawfully be reformed, repreſſed, ordered, redreſſed, corrected, reſtrained, or amended, moſt

The King declared Supreme Head of the Church.

to

to the Pleaſure of Almighty God, the Increaſe of Virtue in *Chriſt*'s Religion, and for the Conſervation of the Peace, Unity, and Tranquillity of this Realm, any Uſage, Cuſtom, foreign Laws, foreign Authority, Preſcription, or any Thing or Things to the contrary hereof notwithſtanding. Which Act, tho' much for the Manutention of the Regal Authority, ſeemed yet not to be ſuddenly approved by our King, nor before he had conſulted with his Council (who ſhewed him Precedents of Kings of *England* that had uſed this Power) and with his Biſhops; who, having diſcuſſed the Point in their Convocations, declared, That the Pope had no Juriſdiction warranted to him by God's Word in this Kingdom: Which alſo was ſeconded by the Univerſities, and by the Subſcriptions of the ſeveral Colleges and Religious Houſes ſo far as they bound their Succeſſors thereunto; the Particulars whereof are to be ſeen in our Records. However the Buſineſs was both publickly controverted in foreign Countries, and defended here by many at this Preſent, while they produced Arguments for rejecting the Pope's Authority; and together maintained it neceſſary, that ſuch a Power ſhould be extant in the Realm for ſupporting and ſtrengthening of the Religion profeſſed in it, and excluding the impertinent and ill-grounded Reformations of many Sectaries of thoſe Times. The Arguments of all which may be ſeen in the King's Book, *De vera Differentia Regiæ et Eccleſiaſticæ Poteſtatis* (which we have formerly mentioned) as being printed and publiſhed on this Occaſion; whence alſo the learned Biſhop *Andrews*, in his *Tortura Torti*, ſeems to have drawn divers Aſſertions of the Regal Authority, to which therefore the curious Reader may have further Recourſe. K. *Henry* VIII.

'It was alſo declared Treaſon to attempt, imagine, or ſpeak Evil againſt the King, Queen, or his Heirs, or to attempt or deprive them of their Dignity or Titles. Other Acts paſſed.

'Alſo that no Traitor ſhall have Benefit of Sanctuary. And tho' he be out of the Realm, yet upon Com-

K. Henry VIII. Commiſſion given by the King for his Trial, if he be found guilty by the Jury, the Law ſhall proceed againſt him as effectually as if he were preſent

'An Act alſo made the laſt Parliament for an Oath to be taken by all the King's Subjects for the Surety of the Succeſſion by Queen *Anne* was now confirmed, and the Oath preſcribed; for the more validating whereof alſo it was declared, That all former Oaths, concerning Succeſſion, taken by the King's Subjects, ſhould be reputed thenceforth vain and annihilated.

'That towards the Augmentation, Maintenance, and Defence of the King's Royal Eſtate and Dignity of Supreme Head, the Firſt Fruits of all Benefices, Dignities, Offices, *&c.* Spiritual, ſhall be paid to his Highneſs: As alſo a yearly Revenue, being the tenth Part of all ſuch Livings; the Prior and the Brethren of St. *John*'s of *Jeruſalem* not excepted.

'Whereas alſo it was doubted, leſt in theſe troubleſome Times, ſome Commotion might follow in this Kingdom, and that particularly *Wales*, as being a ſtrong and faſt Country, might be a Refuge for ill-affected Perſons, and the rather that there were ſo many Lords' Marchers in thoſe Parts (the ſeveral Lords whereof having ampler Power than they now enjoy, did protect Offenders flying from one Place to the other) divers Laws were enacted againſt Perjuries, Murders, Felonies in *Wales*: Paſſage over *Severn* alſo at unlawful Times was prohibited, and Clerks convict in *Wales* not to be releaſed till they found Sureties for their good abearing. Notwithſtanding which, the Year following, upon mature Deliberation, *Wales* was united and incorporated totally unto the Crown of *England*, it being thought better to adopt that People into the ſame Form of Governmet with the *Engliſh*, than, by keeping them under more ſevere and ſtrict Laws than others in the Iſland were ſubject unto, to hazard the alienating of their Affections.

'An Act alſo was made, declaring by whom and in what Manner Biſhops' Suffragans ſhould be nominated

minated and appointed, and what their Authority and Privileges ſhould be. And thus, after a free and general Pardon from the King was enacted, the Parliament was prorogued. K. *Henry* VIII.

The Act of Supremacy being paſſed, the King proceeded more confidently to aboliſh, by Proclamation, the Pope's Authority out of his Kingdom, and eſtabliſh his own; the Doctrine whereof he commanded not only to be often preached in the moſt frequented Auditories, but taught even to little Children; enjoining further, That the Pope's Name ſhould be razed out of all Books [z]; his Reſolution being after this Time to treat him no otherwiſe than as an ordinary Biſhop. In Conſequence whereof alſo, he not only proceeded with an high Hand againſt all the Oppoſers of his Supremacy, (as ſhall be related in its due Place) but accepted a voluntary Oath or Promiſe from his Biſhops, under their Hands and Seals, declaring their Acknowledgment of the ſame, together with a Renunciation of the Pope's pretended Authority, and any Oath or Promiſe made to him heretofore. The Form of this Oath, or Promiſe, made by *Stephen Gardener*, Biſhop of *Winchester*, *Feb.* 10, 1535, may be ſeen in *Foxe*, to which we remit the Reader.'

If we may credit the Preamble to the printed Statutes, this Seſſion of Parliament continued ſitting from the Date above, to the 18th of *December* following: But this is ſcarce probable, for we find that they met once more by Prorogation on the 4th of *February*, in the Beginning of the next Year; which is hardly Time enough for ſome of the more diſtant Members to go home and return again. It is true, they had a great deal to do in it; the Length and Breadth of the Acts which were paſſed at this Seſſion, requiring great Skill in the making and dreſſing of them: But the grand *Coup de Grace* of all, was the Act declaring King *Henry*, SUPREMUM CAPUT

z We have ſeen ſeveral Books printed, before this Time, wherein the Word POPE is entirely obliterated; particularly one in our Collection, *Fabian*'s *Chronicle*; in which the Name of POPE is blotted out by a Pen, throughout the whole Volume. It is probable the Bookſellers durſt not then ſell a Book without this Alteration.

K. *Henry* VIII. PUT ECCLESIÆ ANGLICANÆ, or, The Sole Head of the *Engliſh* Church; which, tho' it ſhocked many ſqueamiſh Conſciences to ſwear to, yet we find none of any Note that had the Courage to refuſe the Oath, except *John Fiſher*, Biſhop of *Rocheſter*, and Sir *Thomas More*, late Lord-Chancellor, who both loſt their Heads for it.

A Subſidy. Biſhop *Burnet*, from the Parliament Rolls, mentions an Act for a Subſidy, of a Tenth and a Fifteenth, to be paid in three Years, that was paſſed alſo this Seſſion, no Grant, of that Kind, having been made of twelve Years before [a]. The Preamble to which Act ſets out the King's high Wiſdom and Policy in moſt glaring Colours. It tells us, 'That 'he governed his Kingdom, for 24 Years, in great 'Wealth and Quietneſs; of the great Charges he 'had been at in the laſt War with *Scotland*, in for-'tifying *Calais*, and in the War in *Ireland:* That 'he intended to bring that wilful, wild, unreaſon-'able and ſavage People to Order and Obedience: 'That he intended to build Forts on the Marches 'of *Scotland*, for the Security of this Nation; to 'amend the Haven at *Calais*, and to make a new 'one at *Dover*. By all which, they did perceive 'the entire Love and Zeal which the King bore 'to his People; and that he ſought not their 'Wealth and Quietneſs only for his own Time, 'being a mortal Man, but did provide for it in all 'Time to come: Therefore they thought that, 'of very Equity, Reaſon, and good Conſcience, 'they were bound to ſhew a like Correſpondence 'of Zeal, Gratitude, and Kindneſs.' In Return for this a general Pardon was granted, with ſome Exceptions; particularly mentioning Biſhop *Fiſher* and Sir *Thomas More*.

Anno Regni 27. 1536. After a Prorogation of fourteen Months, according to Biſhop *Burnet* from the Records, the ſame Parliament met once more on the 4th of *February*, in the 27th Year of this King. A great many Laws, relating to Civil Concerns, were now made, as appears by the Book of Statutes. But the principal Act

[a] *Burnet's Hiſtory of the Reformation*, Vol. I. p. 158.

Act, and for which this Session was chiefly called, was, That for the Suppression of the Lesser Monasteries. How this Bill went thro' the two Houses we cannot learn from the *Journals*, for they are lost: But all the Historians of these Times tell us, That the Report of these Monasteries made to the King was read in Parliament; which represented the Manners of these Houses so odiously, that the Act was easily carried. The Preamble to this Statute runs thus: K. *Henry* VIII. The Lesser Monasteries suppressed.

'That small Religious Houses, under the Number 'of twelve Persons, had been long and notoriously 'given to vicious and abominable Practices, and 'did much consume and waste the Church's Lands, 'and other Things belonging to them: That, for 'about 200 Years, there had been many Visitations 'for reforming these Abuses, but with no Success, 'their vicious Living daily increasing; so that unless 'small Houses were dissolved, and the Religious 'put into greater Monasteries, there could be no 'Reformation expected in that Matter: Whereupon the King having received a full Information of 'these Abuses, both by his Visitors and other credible Ways, and considering that there were divers great Monasteries, in which Religion was 'well kept and observed, which had not the full 'Number that they might and ought to receive, had 'made a full Declaration of the Premises in Parliament. Whereupon it was enacted, That all such 'Houses which might spend yearly 200*l.* or within 'it, should be suppressed, their Revenues converted 'to better Uses, and they compelled to reform their 'Lives.'

The Episcopal Historian, to whom we are obliged for the above Extract[b], goes on and tells us, that the Reasons pretended for dissolving these Houses were, That as there were but a small Number of Persons in them, they entered into Confederacies together, and their Poverty set them on to use many ill Arts to grow rich. They were also often absent, and kept no Manner of Discipline in their Houses; but

[b] *History of the Reformation*, Vol. I. p. 193, &c.

K. *Henry* VIII. their Eſtates were generally much richer than they ſeemed to be; for the Abbots, raiſing great Fines out of them, held the Leaſes ſtill low, and by that Means they were not obliged to entertain a greater Number in their Houſe; and ſo enriched themſeves and their Brethren by the Fines; for many Houſes, then rented at two hundred Pounds, were worth ſome Thouſands. Theſe were Part of the Reaſons urged in Parliament for paſſing this Bill; and we are farther told that *Stokeſley*, Biſhop of *London*, ſaid, in the Houſe of Lords, 'That theſe leſſer Houſes 'were, as Thorns, ſoon plucked up; but the great 'Abbies were like putrified old Oaks, yet they muſt 'needs follow, as others would do in Chriſtendom 'before many Years were paſſed [c].

Though this was a very harſh Sentence to come from the Mouth of a Biſhop in thoſe Days, yet, ſome Time before, when this Affair was canvaſſed in Convocation, *Fiſher*, Biſhop of *Rocheſter*, oppoſed the Diſſolution of theſe ſmaller Monaſteries with all his Might. He told his Brethren, That this was fairly ſhewing the King the Way how he might come at the greater; which, he ſaid, put him in Mind of a Fable.

Biſhop *Fiſher* oppoſes it.

'An Ax, which wanted a Handle, came upon a 'Time unto the Wood, making his Moan to the 'great Trees, that he wanted a Handle to work 'withall, and for that Cauſe he was conſtrained to 'ſit idle; therefore he made it his Requeſt to them, 'That they would be pleaſed to grant him one of 'their ſmall Saplings within the Wood to make 'him a Handle; who, miſtruſting no Guile, granted 'him one of their ſmaller Trees to make him a 'Handle: But now, becoming a compleat Ax, 'he fell ſo to Work, within the ſame Wood, that, 'in Proceſs of Time, there was neither great nor 'ſmall Tree to be found in the Place where the 'Wood ſtood. And ſo, my Lords, if you grant 'the

[c] *Hall*, Folio ccxxviii. *Burnet ut ſupra.*——And yet this Man was ſo zealous a Catholic, that, *Foxe* writes, he boaſted on his Death-Bed he had burnt fifty Heretics. *Acts and Monuments*, Vol. II. p. 1025.

'the King these smaller Monasteries, you do but 'make him a Handle, whereby, at his own Plea- 'sure, he may cut down all the Cedars within your 'Lebanus: And then you may thank yourselves, 'after you have increased the heavy Displeasure 'of Almighty God for it [d]. K. Henry VIII.

The Prelate's Speech, and the Application of this Parable, is said to have turned the Minds of those who sought to oblige the King; and the whole Convocation of Bishops agreed to reject the Proposal for that Time: But, in a little while after, they were convinced of their Error, and all, except the Bishop of *Rochester*, voted in Parliament for it. And,

By another Act, all these Houses of Religion, their Churches, Lands, and all their Goods, were given to the King, his Heirs and Successors; together with all other Houses; which, within a Year before the making of the Act, had been dissolved and suppressed. For the collecting the Revenues that belonged to them, a new Court was erected, called the Court of the Augmentations of the King's Revenue, which was to consist of a Chancellor, a Treasurer, an Attorney and Sollicitor, with ten Auditors, seventeen Receivers, a Clerk, an Usher, and a Messenger. This Court was to bring in the Revenues of such Houses as were now dissolved, excepting only such as the King, by his Letters Patent, continued in their former State: Appointing a Seal for this Court, with full Power and Authority to dispose of these Lands, so as might be most for the King's Service.

Their Revenues vested in the King; and the Court of Augmentations erected.

Thus fell the lesser Abbies to the Number of 376, the yearly Income of which yielded to the King about 30 or 32,000 *l.* besides their Goods and Chattels, which, at low Rates, were valued at 100,000 *l.* and the Number of Monks and Nuns, turned out of them, amounted to about 10,000 [e]. The rest of the Acts passed this Session are not to

[d] Dr. *Bailie*'s Life of Bishop *Fisher*, p. 108.

[e] *Hollingshead*'s *Chron.* p. 939. It is farther observed, that since the Statute gave the King all Sums of Monies due to the Monasteries, it was but reasonable that the Debts owing by these Houses should

K. *Henry* VIII.

The Parliament, after six Years Continuance, dissolved.

our Purpose; and on the 4th of *April*, this Parliament, which had now subsisted above six Years, and, as Bishop *Burnet* observes, had done the King such eminent Service, was finally dissolved.

Henry had now almost an unlimited Sway, both in Church and State, and seemed, in his domestic Affairs, to be very peaceable and content. His new Queen was fruitful, and likely to produce fair Issue from the old Stock; when, all of a sudden, she was accused of Incest, Adultery, and what not, with her own Brother and others; who were all tried, condemned, and executed in the Tower, on *May* 19. 1536. This Affair quite unhinged all the Acts of Settlement made in the last Parliament; and *Henry*, as he had no Occasion to slight such Assemblies, they being throughout his whole Reign very complaisant to him in every Thing, soon after the Dissolution of the last found himself obliged to call another, to meet at *Westminster* on the 8th Day of *June*, in the said 28th Year of his Reign. We shall not mention the Names of all the Peers summoned to this Parliament; but the Manner and Rank the Barons sat in the House is preserved by *Dugdale*, and seems to deserve a Place in these Inquiries.

Queen *Anne Boleyn* executed for Adultery &c.

The Names of the Barons, as they entered and sat in the Parliament in Order, in the 28th Year of the Reign of King *Henry* VIII [f].

A new Parliament called, Anno Regni 28. 1537.

Ld. *Wm. Weston*, Grand Prior of *St. John's*,
George Lord *Bergavenny*,
John Lord *Audley*,
William Lord *Mountjoy*,
Henry Lord *D'Aubeny*,
Christopher Lord *Conier*, of *Hornby*,
John

should be discharged. This was done, for the most Part, by the Commissioners; but where Relicts happened to be pawned, it seems they refused to redeem them. Thus one Man lost 40 *l.* upon St. *Andrew's* Finger; excepting one Ounce of Silver with which it was covered. *Ibid.*

[f] *Summonitiones ad Parliamenta* 28 *Henry* VIII. p. 500. The Summons to this Parliament, directed to *Thomas* Archbishop of *Canterbury*, the rest of the Bishops, Abbots, and Lay-Lords, as well as to the Judges, High-Sheriffs of Counties, Mayors, Bailiffs, and Burgesses, &c. are given at Length in the *Fœd. Arg.* Tom. XIV. p. 565.

John Lord *Zouch*,
Thomas Ld. *De la Ware*,
Thomas Lord *Berkley*,
Lord *Montague*,
Lord *Rochford*,
Henry Lord *Morley*,
Ld. *Dacres*, of the South,
Ld. *Dacres*, of *Grayſtock*,
Lord *Cobham*,
Lord *Maltravers*,
Lord *Talbot*,
Lord *Walter Ferrers*,
Edward Lord *Powis*,
Lord *Gray*, of *Wilton*,
Lord *Scrope*,
Lord *Dudley*,
Lord *Latimer*,
William Lord *Stourton*,
Lord *Fitz-Warine*,
John Lord *Berners*,
Lord *Lumley*,
George Lord *Haſtings*,
Thomas Lord *Darcey*, of *Temple-Hurſt*,
Lord *Montegle*.
Ld. *Vaux*, of *Harradoun*,
John Lord *Huſſey*, of *Sleford*,
Andrew Lord *Windſor*, of *Stanwell*,
Lord *Tailboys*, of *Kyme*.
Lord *Wentworth*,
Lord *Brough*, of *Gainſborough*,
Edmond Lord *Bray*,
John Lord *Mordant*,
Lord *Hungerford*, of *Heyteſbury*,
Thomas Lord *Cromwell* of *Wimbleton*, admitted by Patent the laſt Day of this Parliament.

K. *Henry* VIII.

The *Journal-Book* now begins again, and is very particular in the Tranſactions of this Parliament [g]; which being met, on the 8th of *June* as aforeſaid, the King on the Throne, and all the Lords and Commons attending, Sir *Thomas Audley*, Knight, then Lord-Chancellor of *England*, opened the Cauſe of the Summons in a Speech to this Effect:

Anno Regni 28. 1537. At *Weſtminſter*.

'*Firſt*, He told them that, at the Diſſolution of 'the laſt Parliament, it did not enter into the King's 'Majeſty's Mind that he ſhould ſo ſoon have Occa- 'ſion to call another; but that for two eſpecial 'Cauſes very neceſſary, both for eaſing the King's 'Scruples

The Lord-Chancellor's Speech.

[g] The Preamble to the Parliament recites all the Kings Titles in this Manner;

Parliamentum incohatum et tentum apud Weſtmonaſterium. *octavo Die Menſis* Junii, *Anno Regni metuendiſſimi et potentiſſimi Regis* Henrici *Octavi, Fidei Defenſoris, Domini* Hiberniæ, *et in Terris* Supremi Capitis *Anglicanæ* Eccleſiæ, *viceſſimo octavo.*

Briano Tuke, *Milite, et* Edvardo North, *Clericis Parliamenti.*

K. *Henry* VIII. ‘ Scruples and conducive to the Good of the whole ‘ Kingdom, he had iſſued freſh Summons for calling ‘ this Parliament. The one was, concerning the ‘ Heirs and Succeſſors of the King’s Majeſty; who ‘ knowing himſelf obnoxious to Infirmities, and ‘ even Death itſelf, a Thing very rare for Kings ‘ to think of; and, beſides, conſidering the State of ‘ the whole Kingdom, depending, as it were, upon ‘ his ſingle Life; but willing, above all Things, ‘ to leave it free from all Dangers to Poſterity, he ‘ had called this Parliament to appoint an Heir Ap- ‘ parent to the Crown; who, when the preſent King ‘ had reſigned to Fate without Children lawfully ‘ begotten, might, by their own Conſent, happily ‘ reign over them.

‘ The *ſecond* Cauſe, for which this preſent Par- ‘ liament was ſummoned, was, For repealing a cer- ‘ tain Act, made in the laſt, by the Tenor and Force ‘ of which this whole Realm is bound to be obe- ‘ dient to the Lady *Anne Boleyn*, the King’s late ‘ Wife, and her Heirs between them lawfully ‘ begotten. Alſo, by the Force of the ſaid Act, ‘ whoever ſhould ſay or do any Ill againſt her or ‘ her Iſſue ſhould be condemned for High Treaſon: ‘ But now, he ſaid, that they may more rightly ‘ underſtand the Reaſons of this Summons, his ‘ Counſel was, according to theſe three Proverbs of ‘ *Solomon*, (to whom our moſt excellent Prince here ‘ may be moſt juſtly and worthily compared) *Ope- ‘ rabimini quibus admonemur, præterita in Memoria ‘ habere, præſentia intueri, et obventura provideri.* ‘ And, as to the firſt, they very well remembered ‘ what great Anxieties and Perturbations of Mind ‘ their moſt invincible Sovereign ſuffered, on ac- ‘ count of his firſt unlawful Marriage; which was ‘ not only judged ſo in all the Univerſities in Chri- ‘ tendom, but declared unlawful by the general Con- ‘ ſent of this Kingdom in a late Act of Parliament. ‘ So alſo they ought to bear in Mind the great ‘ Perils and Dangers their Prince was under, when ‘ he contracted his ſecond Marriage, in regard to ‘ the ſecond of *Solomon*’s Proverbs, by conſidering

‘ in

'in what a Situation this Realm was in by reason K. *Henry* VIII.
'of the Oath then made and taken for the Support
'of the said *Anne* and her Issue; which said Lady
'*Anne*, and her Accomplices, had been since justly
'found guilty of High Treason, and had received
'their due Reward for it. What Man of middle
'Condition would not this deter from marrying a
'third Time? When he remembers that the first
'was a vast Expence and great Trouble of Mind
'to him; and the second ran him into great and im-
'minent Dangers, which hung over him during the
'whole Time of it; yet this our most excellent
'Prince, adds he, on the humble Petition of the
'Nobility, and not out of any carnal Lust or Affec-
'tion, again condescends to contract Matrimony;
'and hath at this Time taken unto himself another
'Wife, whose Age and fine Form denotes her most
'fit and likely to bring forth Children: And there-
'fore, according to the third Proverb of *Solomon*,
'*Obventura provideamus*, we are now met, by the
'King's Command, with unanimous Consent, to
'appoint an Heir Apparent to the Crown, that
'if this our Prince, which God avert, should leave
'this mortal Life without Children lawfully begot-
'ten, the Heir, so appointed, may lawfully rule and
'govern this Kingdom after him.

'*Lastly*, adds he, Let us humbly pray to God
'that the would bless this our most excellent Prince
'with some Offspring; at the same Time giving
'him Thanks that he has hitherto preserved him
'from so many and such imminent Dangers, be-
'cause it is his whole Study and Endeavour to rule
'us all in perfect Peace and Charity during his Life;
'and to transmit the same Happiness to Posterity.'

After the Chancellor had ended his Harangue, he, in the King's Name, ordered the Commons to withdraw to their usual Place and chuse a Speaker, and present him to the King the Day following.

The Receivers and Triers of Petitions being appointed, the next Day, being *Saturday*, the Chancellor acquainted the King and Lords that the Commons begg'd a longer Time for electing a Speaker.

Hereupon

K. *Henry* VIII. Hereupon the King commanded that the House of Lords should be adjourned to *Monday* Morning; and, on that Day, the Commons presented to the King *Richard Rich*, Esq; for their Speaker; who immediately addressed himself to the Throne, in Words to this Effect:

RICH. RICH, Esq; Speaker.

'First, in the Name of the Commons, he told 'his Majesty that they well understood the Chancel- 'lor's Reasons, which he gave on the first Day of 'the Meeting, for calling this present Parliament; 'and repeated the Heads of the Chancellor's Dis- 'course. He then took Occasion to praise the 'King for his wonderful Gifts of Grace and Na- 'ture; and compared him, for Justice and Pru- 'dence, to *Solomon*; for Strength and Fortitude, to '*Sampson*; and, for Beauty and Comelineſs, to '*Absalom*. He then said, That, according to the 'Chancellor's Commands, the Commons had re- 'tired to their own House, in order to chuse a 'Speaker, and had actually chosen him, the most 'unworthy of them all, for that Honour. He 'therefore besought his Majesty that he would 'command the Commons to withdraw again to 'their own House, and elect another Speaker; for 'he had neither Learning, Experience, nor Bold- 'ness, fit for that Office; and therefore he was 'the least capable of any to undertake such an 'honourable Employment.'

To this the Chancellor, by the King's Com- mand, replied, 'That his Majesty had well heard 'his Speech, and was glad to understand, by the 'first Part of it, that the Members of the House 'of Commons had been so attentive to the Chan- 'cellor's Declaration, as they appeared to be. 'That, as to the Praises and Vritues ascribed to him- 'self, his Majesty thought proper to disavow them; 'since, if he really had such Virtues, they were the 'Gifts of Almighty God only. Lastly, adds he, 'as to your Excuses, *Richard*, which the King 'hath heard, that you have neither Learning, 'Experience, nor Boldness, fit for such an Office; 'to this his Majesty hath commanded me to reply, 'That,

§ That, if he did not know that you had all those K. *Henry* VIII.
§ Qualifications, he would not, amongst so many
§ urgent Matters as are now depending, admit you
§ into the Office; and therefore he does not look
§ upon your Excuses as just.' After which the said *Richard Rich*, Esq; [h] made the usual Protestation for Liberty of Speech, &c. which was allowed of.

We have been more circumstantial than usual in giving the Preliminaries at the Opening of this Parliament, because it shews to what a Height Adulation was at that Time; when the Lord-Chancellor and the Speaker of the House of Commons, in their Addresses to the Throne, strove to out-do one another in Flattery. Whatever Vices this King had, and to what Height soever he carried them, he could not outstrip his Parliament: For no sooner had he repudiated one Wife and married another, but the Parliament joined with him in bastardizing the Issue of the last; as was first done in the Case of Queen *Katherine*, and afterwards in *Anne Boleyn*. And now, having got an effectual Divorce from the said *Anne*, he was married again immediately to the Lady *Jane Seymour*, Daughter to Sir *John Seymour*, Knt. The whole last Act of Settlement was repealed by this Parliament, and poor Queen *Anne* now called worse Names than Queen *Katherine* had been before.

Henry marries the Lady *Jane Seymour*.

We shall not trouble the Reader with any Abstract from the *Journals*, concerning the bringing in of Bills, *de Die in Diem*, into the House, nor with the reading and passing them; instead thereof we shall subjoin Lord *Herbert*'s Extracts of the Statutes made by this Parliament; observing only, That tho' that Noble Historian puts the Act of Succession first in his Account, yet it stands only the seventh in the *Statute Books* [i]; and it was not till the 13th Day of their Sitting that the Bill was brought

[h] Afterwards, for his good Services in the Cause, made Chancellor of the newly erected Court of Augmentations. *Journal-Book*, Anno 32 *Henry* VIII.

[i] There is only the Title of it in the *Statutes at large*, 28 *Henry* VIII. cap. vii.

K. *Henry* VIII. brought into the House of Lords by the Lord-Chancellor. It is easily seen by some Expressions in the Act, very agreeable to the Speech at the Opening, who had the chief Hand in the penning and directing of it. Lord *Herbert* proceeds thus:

A new Act of Succession in her Favour.

'The principal Act made this Parliament was, touching the Succession of the Crown; in which, after a Rehearsal of the Statute 25 *Henry* VIII. 22. touching the King's Marriage, and Limitation of Succession to the Crown; and another of 26 *Henry* VIII. 2. it is declared, That whereas a Marriage was heretofore solemnized betwixt the King's Highness and the Lady *Anne Boleyn*, that since that Time, certain just, true, and lawful Impediments of Marriage, unknown at the making of the said Acts, were confessed by the said Lady *Anne* before *Thomas* Lord Archbishop of *Canterbury*; by which it plainly appeareth, That the said Marriage betwixt his Highness and the said Lady *Anne* was never good nor consonant to the Laws; and therefore his Highness was lawfully divorced from the said Lady *Anne*. Moreover, that she, and her Accomplices before-mentioned, were convicted by due Course of Law, and have suffered according to their Merits.

'And whereas it hath pleased his Highness, notwithstanding the great Perils suffered by Occasion of his first unlawful Marriage betwixt the Lady *Katherine*, and this unlawful Marriage betwixt the Lady *Anne*, at the most humble Petition of his Nobles in this Realm, and for Conservation of the same, to enter into Marriage again with the Lady *Jane*, according to the Laws of the Church; and that there is Hope she may conceive by his Highness, that it is the most humble Petition of his Nobles and Commons, that, for Extinguishment of all Ambiguities and Doubts, it may be enacted in Manner and Form as followeth: And, first, That the Marriage betwixt the King and Queen *Katherine* should be void and of no Effect; as being grounded on a Dispensation, in a Case not dispensable by human Authority; and so determined by the whole Clergy and both Universities of this Realm;

Realm; as alſo by the Univerſities of *Bononia*, *Padua*, *Paris*, *Orleans*, *Tholouſe*, *Anjou*, and divers others; in regard ſhe, being Wife to his elder Brother, Prince *Arthur*, was carnally known by him, as was ſufficiently proved before *Thomas* Archbiſhop of *Canterbury*; and therefore that any Diſpenſation to the contrary hereof ſhould be, to all Intents, void and of no Effect, and the Iſſue, procreated under the ſame unlawful Marriage betwixt his Highneſs and the ſaid Lady *Katherine*, to be illegitimate, and barred from claiming any Inheritance from his Highneſs by lineal Deſcent: Alſo that the Marriage betwixt his Highneſs and Queen *Anne* is of no Value, nor Effect; and that the Divorce made between his Highneſs and her is good and effectual; and the Iſſue illegitimate and not inheritable to his Highneſs by a lineal Deſcent; any former Act to the contrary notwithſtanding. K. Henry VIII.

'And furthermore, ſince many Inconveniencies have fallen by marrying within Degrees prohibited by God's Law, (which Marriages yet have been often diſpenſed with by ſome uſurped Power, when yet no Man hath Power to diſpenſe with God's Law) therefore it was enacted, That if any were married within the ſaid Degrees, or took to Wife the Siſter or Daughter, *&c.* of her whom he had before carnally known, he might and ſhould be ſeparated by the definitive Sentence of the Archbiſhops, and other Miniſters of the Church of *England:* And their ſaid Sentence to be good and effectual, without ſuing any Appeal to or from the Court of *Rome*.

'Further, it was enacted, That the Iſſue betwixt his Highneſs and Queen *Jane* ſhould be his lawful Children and Heirs, and inherit, according to the Courſe of Inheritance of the Laws of this Realm, the Imperial Crown of the ſame, with all Dignities, Honours, Preheminences, Prerogatives, Authorities, and Juriſdictions to the ſame annexed or belonging.

'But if it ſhould happen that Queen *Jane* ſhould deceaſe without Iſſue Male of the Body of his Highneſs

K. *Henry* VIII. Highneſs to be begotten, then the ſame Imperial Crown, and all other the Premiſſes, to be to his Majeſty, and to his Heirs Male by any other lawful Wife, and to the Heirs of the Body of the ſame Son and Heir Male lawfully begotten; and ſo from Son and Heir Male to Son and Heir Male, and to the Heirs of every ſuch Son and Heir Male lawfully begotten, according to the Courſe of Inheritance as is aboveſaid. And for Default of ſuch Iſſue Male, then the ſaid Imperial Crown and Premiſſes ſhould be to the Iſſue Female betwixt his Majeſty and Queen *Jane* begotten, and ſo again to the Iſſue Female by any other Wife in like Manner; that is to ſay, to the eldeſt Iſſue of the Iſſue Female, and to the Heirs of her Body lawfully begotten; and ſo from Iſſue Female to Iſſue Female, and to their Heirs of their Bodies, one after another, by Courſe of Inheritance, according to their Ages, as the Crown of *England* hath been accuſtomed and ought to ſucceed and go, in Caſe when there is Heir Female inheritable to the ſame. And foraſmuch as it ſtands in the only Will and Pleaſure of Almighty God, whether his Highneſs ſhall have Heirs, and that if they fail, and no Proviſion be made in his Life who ſhould govern this Realm, that then this Realm, after his tranſitory Life, ſhould be deſtitute of a lawful Governor, or incumbered with ſuch a Perſon that would covet to aſpire to the ſame, that in this Caſe, his Highneſs might limit the Crown to any Perſon or Perſons in Poſſeſſion and the Remainder by his Letters Patent under the Great Seal, or elſe by his Laſt Will, ſigned with his Hand, after ſuch Manner as ſhould be expreſſed in his ſaid Letters Patent; and that ſuch Perſon and Perſons ſhould have and enjoy the ſame after his Deceaſe, in as large and ample Manner as the lawful Heirs of his Body ſhould have done.

The Iſſue of the Queens *Katherine* and *Anne* declared illegitimate.

'After which, Order was taken to prevent Uſurpation of the Crown, and the Penalty of High Treaſon impoſed on Uſurpers, as on thoſe alſo who believed either the Marriage of his Highneſs with the Lady *Katherine*, or the Lady *Anne*, to be good; and

and did call the Lady *Mary* or the Lady *Elizabeth* illegitimate, and who uſed certain Words and Actions tending to this Purpoſe; as is to be ſeen more largely in the ſaid Statute. K. *Henry* VIII.

'Furthermore, it was enacted, That if his Majeſty ſhould deceaſe before any Heir Male of his Body, inheritable to the Crown of this Realm, ſhould be of the Age of eighteen Years, or any Heir Female which ſhould be inheritable as aforeſaid ſhould be married, or be of the Age of ſixteen Years, that then they, or any of them, ſhall be and remain, untill they came unto the ſaid ſeveral Ages, at and in the Governance of their natural Mother, and ſuch other his Counſellors and Nobles of his Realm, as his Highneſs ſhould name and appoint by his Laſt Will in Writing, and ſigned with his Hand, as is aforeſaid; and that an Oath ſhould be adminiſtered for Performance of this Act, and the Penalty of High Treaſon inflicted on thoſe that ſhall refuſe it.

'Furthermore, it was enacted, That the King ſhould have Power, by his Letters Patent or Laſt Will as aforeſaid, to advance any Perſon or Perſons of his moſt Royal Blood to any Title, Stile, or Name, of any Eſtate, Dignity, or Honour, and to give to them, or any of them, any Caſtles, Honours, Lands, *&c.* in Fee-Simple, Fee-Tail, or for Term of Lives, or the Life of any of them, ſaving the Rights and Eſtates of all others in and to the ſame.

'Finally, it was enacted, That every Clauſe, Article, and Sentence therein ſhould be taken and accepted according to the plain Words thereof. How yet this Act was altered 35 *Henry* VIII. 1. ſhall be declared by me, God willing, in this Hiſtory; referring the Reader to 1 *Mary* I. when it was repealed.'

The Noble Hiſtorian [k] here ſtops to moralize a little on the Conduct of this Parliament; particularly in regard to this Act of Succeſſion. He ſays, he has given Remarks on the ſaid Act.

[k] Lord *Herbert* in *Kennet*, Vol. II. p. 200.

K. *Henry* VIII. given a much larger Abſtract from this Statute than any before, that it may appear to the Reader with how high a Hand the King did authorize his Actions, whilſt each Part of the Government juſtified the other: For, adds he, all the Subjects' Voices being comprehended in the Parliament, no Man could accuſe the King, who did not in ſome Sort condemn himſelf. So, if there was no Reaſon for theſe two Divorces, the Chiefs of the Kingdom joined in the ſame Error with him; unleſs, continues our Authority, ſome ill Arts with the Nobility, and ſome unfair Practices, in the Election of Knights and Burgeſſes, may be ſuppoſed; which, by what he had ſeen, there may be Cauſe to ſuſpect in ſome; yet, to believe a general Corruption in the Firſt Perſons of the Kingdom, what is it elſe but to ſubvert the very Columns and Foundations of Laws?

That zealous Proteſtant, Mr. *Foxe*, in his Cenſures on the Conduct of this Parliament, in regard to this Act, and their loading his Heroine Queen *Anne* with ſuch ſcandalous Aſperſions, ſays, 'That he [1] cannot but wonder why this Parliament ſhould repeal and declare the ſame Marriage unlawful, which they themſelves, but three Years before, had voted good and valid. But he much more wonders why the ſaid Parliament, not only pronounced the Invalidity of the Marriage, but, not content with that, would further proceed to charge the Lady with ſuch carnal Deſires of her Body, as to miſuſe herſelf with her own natural Brother, the Lord *Rochford*, and others: Which Thing, adds he, is ſo contrary to all Nature, that no Man of Reaſon can believe it. He therefore ſuppoſes that it was ſome hidden Trick of State, fomented and encouraged by the Papiſts; conſidering what a mighty Stop She was to their Proceedings, and a ſtrong Bulwark for the Maintenance of *Chriſt*'s true Religion. For which Reaſon he concludes, that this Chriſtian and devout *Deborah* could want no Enemies amongſt ſuch

[1] *Foxe's Acts and Monuments*, Vol. II. p. 988.

such a Number of *Philiſtines*, both within and without the Realm.' K. *Henry* VIII.

Biſhop *Burnet* [m] obſerves, That many queſtioned the Validity of this Act; and the *Scots* ſaid, That the Succeſſion to the Crown was not within the Parliament's Power to determine about it; but muſt go, by Inheritance, to their King, if King *Henry* died without Iſſue. It had one good Effect, however, ſince it helped much to pacify the Emperor, when he heard that his Kinſwoman, *Mary*, was, tho' not reſtored in Blood, yet put in a Capacity to ſucceed to the Crown.

Dr. *Heylin* has made an Obſervation on a Clauſe in this Act, not ſo much as taken Notice of by Lord *Herbert*, or copied by Biſhop *Burnet*; but which, we think, deſerves a particular Recital [n]:

'*Henry* had one natural Son, begotten of the Lady *Talbois*, much cheriſhed by his Father; whom, at ſix Years of Age, he created Earl of *Nottingham*, and, ſoon after, Duke of *Richmond* and *Somerſet*, Earl-Marſhal of *England*, and Knight of the Garter. At ſixteen Years old he was made Lord-High-Admiral, in an Expedition againſt *France*; and a Match was concluded between this Youth and the Lady *Mary*, Daughter to *Thomas Howard*, Duke of *Norfolk*, at that Time the moſt powerful Subject in the Kingdom. Nor were theſe all the Favours his indulgent Father intended him; for the Crown itſelf was deſigned for him, in Caſe of Failure of any other lawful Iſſue from the King: For, in the Act of Succeſſion, now paſſed, that Clauſe which enables *Henry*, for want of ſuch lawful Heirs, to diſpoſe of the Crown by Letters Patent, or by Will, to any other Perſon or Perſons, *&c.* was plainly deſigned in Favour of this young Prince. But all theſe Precautions were in vain; for the Duke died, at the Age of ſeventeen Years, a few Days after the ending of this Parliament, to the extraordinary Grief of his Father.'

m *Reformation*, Vol. I. p. 211.

n *Heylin's Hiſtory of the Reformation*, p. 6.

K. *Henry* VIII.

The Pope seeks a Reconciliation with the King,

At this Time a new Propoſal came from *Rome*, for a Reconciliation between *Henry* and Holy Church. The Interval ſeemed very favourable to it; for Queen *Katherine* and *Anne* being both dead, who were the Occaſion of the Rupture, the Court of *Rome* judged this a proper Opportunity to effect it. Accordingly the Pope ſent a Meſſage to the King, to let him know, 'That he had ever favour-'ed his Cauſe in his Predeceſſor's Time; and tho' 'he was forced to give out a Sentence againſt him, 'yet he had never any Intention to proceed upon 'it to further Extremities.'

Which is rejected,

How this Meſſage was received, may be fully known by two Acts which the King procured to be immediately paſſed upon it, in this Parliament; by which all Hopes of a Reconciliation were entirely cut off between them: For a Bill was brought into the Houſe of Lords, for utterly aboliſhing the uſurped Authority of the Biſhop of *Rome*, on the 4th Day of *July*, which ſoon after paſſed both Houſes. The Preamble to which Act contains theſe ſevere Reflections:

And an Act for utterly aboliſhing the Papal Power.

'The Biſhop of *Rome*, whom ſome call the Pope, 'who had long darken'd God's Word, that it might 'ſerve his Pomp, Glory, Avarice, Ambition, and 'Tyranny, both upon the Souls, Bodies, and Goods 'of all Chriſtians; excluding *Chriſt* out of the Rule 'of Men's Souls, and Princes out of their Domi-'nions: And had exacted in *England* great Sums 'by Dreams, Vanities, and other ſuperſtitious 'Ways. Upon theſe Reaſons his Uſurpation had 'been, by Law, put down in this Nation; yet many 'of his Emiſſaries had been practiſing up and down 'the Kingdom, and perſuading People to acknow-'ledge his pretended Authority. Therefore every 'Perſon ſo offending, after the laſt Day of *July* 'next to come, was to incur the Pains of a *Præ-'munire*; and all Officers, both Civil and Eccle-'ſiaſtical, were commanded to make Inquiry about 'ſuch Offences, under ſevere Penalties.'

The other Blow made at the Pope was by another Act paſſed, that 'Whereas the Popes had,

'during

'during their Uſurpation, granted many Immuni- K. *Henry* VIII.
'ties to ſeveral Bodies and Societies in *England*,
'which, upon ſuch Grants, had been now long in
'Uſe: Therefore all thoſe Bulls, Breves, and
'every Thing depending on, or flowing from them,
'were declared void and of no Force: Yet all
'Marriages celebrated by Virtue of them, that were
'not otherwiſe contrary to the Law of God, were
'declared good in Law; and all Conſecrations of
'Biſhops, by Virtue of them, were confirmed: And,
'for the future, all who enjoyed any Privileges by
'Bulls, were to bring them into Chancery, or to
'ſuch Perſons as the King ſhould appoint for that
'End. Moreover, the Archbiſhop of *Canterbury*
'was empowered to grant a-new the Effects con-
'tained in them; which Grant was to paſs under
'the Great Seal, and to be of full Force in Law.'

This Statute was a great Stroke at the Abbots and their Rights; but they were glad to ſuffer a Diminution of their Greatneſs, rather than part with their All, which now lay at Stake. Further Proceedings againſt the Clergy.

By the 13th Act they corrected an Abuſe which had crept in, to evade the Force of a Statute made in the 21ſt Year of this King, about Prieſts reſiding on their Livings. One Qualification that did excuſe them from Reſidence, was their ſtaying at the Univerſity for compleating their Studies. Now it was found that many diſſolute Clergymen went and lived at the Univerſities, not for Study, but to be excuſed from ſerving their Cures: Therefore it was enacted, That none above the Age of Forty, who were not either Heads of Houſes, or public Readers, ſhould have any Exemption of Reſidence, by Virtue of that Clauſe in the former Act; and all thoſe under that Age ſhould not have the Benefit of it, except they were preſent at Lectures, and performed their Exerciſes in the Schools.

There are no leſs than fifty-two Titles, in the *Journals*, of the Acts paſſed this Seſſion, ſeveral of which refer to the Exchange of Lands between the King and others; which Lands may be well preſumed to be Part of the Poſſeſſions which belonged

K. *Henry* VIII. to the new-diſſolved Monaſteries. The printed Book of Statutes mentions no more than eighteen Acts; the moſt remarkable of thoſe that are omitted are theſe:

An Act concerning the Aſſurance of a Jointure to Queen *Jane*.

Some Acts of Attainder paſſed. An Act of Attainder againſt *Thomas Fitzgerald*, of the Kingdom of *Ireland*, and five of his Uncles.

Another Act of Attainder of *Thomas* Lord *Howard*.

An Act expreſſing, That all the Statutes which ſhall be made, during the Non-age of the King's Succeſſors, ſhall be made void by them, if it ſhall ſeem convenient, when they come to full Age.

This laſt hath a Title in the printed Statute-Book; but was ſuch an extraordinary Stretch of the Prerogative, that it was thought proper to repeal it in the very firſt Year of the next Reign: For by this it was provided, 'That whatſoever Acts were made 'before his Succeſſors were twenty-four Years of 'Age, they might, at any Time of their Lives 'after, repeal and annul by their Letters Patent; 'which ſhould have equal Force with a Repeal by 'Act of Parliament.

An extraordinary Act for the Increaſe of the Prerogative.

The firſt of the Acts of Attainder was levelled againſt *Thomas Fitzgerald*, Son to the Earl of *Kildare*, who had raiſed a Rebellion in *Ireland*, murdured the Archbiſhop of *Dublin*, and forced the Citizens there to admit his Soldiers to beſiege the Caſtle; he writ alſo to the Pope to make him King of *Ireland*. Being at length overpowered, he ſubmitted; but was afterwards hanged at *Tyburn*, with his five Uncles.

The next Act[o] to attaint *Thomas* Lord *Howard*, was made upon a quite different Occaſion. This Nobleman was the youngeſt Son to the late Duke of *Norfolk*, and Brother to the preſent Duke; and having an amorous Intrigue with the Lady *Margaret Douglas*, Daughter to the Queen of *Scots*, and King

[o] The Bill was brought into the Houſe of Lords the laſt Day of this Parliament, by the Lord-Chancellor, read thrice in one Day, and paſſed the ſame Day by the Commons. *Journal-Book*, 28 *Henry* VIII.

King *Henry*'s Niece, had so far gained the young Lady's Affection, that there was an actual Contract of Marriage between them. *Henry*, hearing of this, was much incensed that a private Subject, as it were, should dare to think of marrying a Princess, who was Half-Sister to the King of *Scots*, and his own Niece; he therefore had him attainted, and committed them both to the Tower. There the said Lord *Howard* died, but the Lady was set at Liberty, and afterwards proved the Mother of the present Race of *Stuarts*. This Affair, however, produced an Act of Parliament, made this Session, which bears this Title: K. *Henry* VIII.

'That it shall be High-Treason for any Man[p] 'to espouse, marry, or take to Wife, any of the 'King's Children, being lawfully born, or other-'ways commonly reputed for his Children; or 'any of the King's Sisters or Aunts, on the Part 'of the Father, or any of the lawful Children of 'the Kings's Brethren or Sisters; or to contract 'Matrimony with any of them without the King's 'Licence first had under the Great Seal; or to de-'flower any of them being married. The Woman 'so offending to incur the like Danger.' The Act was repealed 1 *Edward* VI. and the first of Queen *Mary*; the Reasons for which will appear in the Sequel.

This Parliament having dispatched a great deal of Business in a very little Time, on *July* the 18th the King came to the House, in order to pass the Bills that were ready for the Royal Assent; and the Speaker of the House of Commons made another Oration to him, as full of Flattery as the last; only, as in the former, he compared the King to *Solomon*, *Sampson*, and *Absalom*, for Wisdom, Strength, and Personage, he now likened him to the Sun: 'For as the Sun, says he, exhales all the noxious 'Vapours which would otherways be hurtful to us, 'and by its Heat cherishes and brings forth those 'Seeds, Plants, and Fruits, necessary for the Sup-'port of human Life; so this our most excellent

[p] *Statutes at large*, 28 *Henry* VIII. cap. xviii.

K. *Henry* VIII. 'Prince takes away, by his Prudence, all thoſe E-'normities which may hereafter be any ways hurt-'full to us and our Poſterity; and takes Care to 'enact ſuch Laws as will be a Defence to the 'Good, and a great Terror to Evil-doers.'

The Parliament diſſolved.

The Chancellor replied to this Harangue much in the ſame Words as to the former; and then, by the King's Command, he diſſolved the Parliament: Exhorting the Members that they would all take Care to obſerve the Laws then made, and ſee them obſerved by others.

Biſhop *Burnet* remarks on the Proceedings of this Parliament, That it plainly appears that the King was abſolute Maſter both of the Affections and Fears of his Subjects, when, in a new Parliament called on a ſudden, and in a Seſſion of ſix Weeks, from *June* the 8th to *July* the 18th, Acts of ſo great Importance were paſſed, without any Proteſt or public Oppoſition [q].

But the great Work of a thorough Reformation was not yet compleated; that is, the larger Monaſteries were not diſſolved, whoſe Revenues the Lay-Courtiers were greedily gaping for. *Henry* had now got a fit Inſtrument for that Purpoſe, in the Perſon of *Thomas Cromwell*, a Blackſmith's Son of *Putney*; but who, by his great Learning and Abilities, was firſt made Maſter of the Jewel-Houſe, then Baron of *Okeham*, afterwards Earl of *Eſſex*, Lord-Great-Chamberlain, and Vicar-General over the Spiritualities. This Man being now Prime Miniſter, in his old Maſter Cardinal *Wolſey*'s Place, perſuaded the King, who was ready enough to comply, to pull down the larger Abbies and Monaſteries; the ſmaller, under the Value of 200 *l.* a Year, having been ſuppreſſed before. And tho' ſome Remonſtrances were made to the contrary, that a few might be ſpared, as well for the Virtue of the Perſons in them, as that the Country receiv'd great Benefit from them, the Poor receiving thence Relief, and the richer Sort Education for their Children; yet, ſays Lord *Herbert* [r], *Cromwell*, by the King's Permiſſion, invaded

Cromwell propoſes the Suppreſſion of the larger Abbies, &c.

[q] *Burnet's Reformation*, Vol. I. p. 212.
[r] *Kennet*, Vol. II. p. 217.

vaded all; and, betwixt Threats, Gifts, Perſuaſions, Promiſes, and whatever elſe might make Men waver, he obtained of the Abbots, Priors, Abbeſſes, *&c.* that their Houſes might be given up. But an abſolute Right to theſe Poſſeſſions was not warranted yet by Law; and therefore *Henry* called a Parliament to eſtabliſh it. They were ſummoned, by Writ, to meet at *Weſtminſter* on the 28th Day of *April*, in the 31ſt Year of this Reign. The firſt Writ of Summons is directed to *Thomas* Lord *Cromwell*, our Vicar-General in Spiritualities. K. *Henry* VIII.

A new Parliament called at *Weſtminſter* for that Purpoſe, *Anno Regni* 31. 1540.

The *Journal-Book* begins this Parliament in a very ſolemn and pompous Manner; for, after enumerating the King's Titles, it goes on thus:

Ad Laudem & Gloriam Dei Omnipotentis; Honorem, Decorem, Pacem, Quietem, Tranquilitatem, Securitatem, & Reformationem totius Regni, Reipublicæ, & Ditionis Anglicanæ; *in Nomine ſanctæ & individuæ Trinitatis, Patris & Filii & Spiritus Sancti, poſt Miſſarum Solempnia decenter ac devote celebrata, divino Auxilio humillime implorato & invocato, Die, videlicet* Lunæ, *viceſſimo octavo Menſis* Aprilis, *&c.*

Their Solemn Proceſſion.

Sir *William Dugdale* has preſerved the Order of Proceſſion made by the King and the Lords, from the Palace at *Weſtminſter*, to the Abbey; every Peer, both Spiritual and Temporal, in his Parliament-Robes, to hear the Maſs of the *Holy Ghoſt*, in the Abbey Church aforeſaid, *&c.* This, for the Rarity of it, merits a Place in theſe Inquiries; as alſo a Liſt of the whole Houſe of Peers at this Time; ſince it is the laſt we meet with, where the Spiritual and Temporal Lords, Abbots included, ſat together in an *Engliſh* Parliament, or, in all human Probability, ever will do. The Proceſſion was as follows[s]:

Firſt, All Gentlemen and Eſquires.
Knights and Bannerets.
Serjeants at the Law, and Juſtices.
Abbots, Biſhops, and Archbiſhops.
Lord-Chamberlain of *England*, the Earl of *Suſſex*.
The Lord-Chancellor of *England*.

The

[s] *Dugdale's Summons to Parliament*, p. 502.

K. *Henry* VIII. The Lord-Marſhal of *England*, then Duke of *Norfolk*, with his Rod.

Garter before him in the King's Coat.

Then the King's Sword, borne by the Earl of *Shrewſbury*.

The Cap of Maintenance, borne by the Duke of *Suffolk*.

Then the King's Highneſs.

And, after his Grace, all the other Eſtates; as, Dukes, Marquiſſes, Earls, Viſcounts, Barons, with others, after their Degrees, in Order, two and two, after their Antienties on Horſeback, in their Robes, unto the King's Lighting-Place; where the Abbot of *Weſtminſter*, in *Pontificalibus*, with all the Church met the King. And from thence, in like Order, every Man proceeded on Foot to the Quire, ſave the Earl of *Oxford* Lord-Chamberlain of *England*, to bear his Grace's Train, aſſiſted by the Vice-Chamberlain.

Sir *Anthony Wingfield*, for Default of my Lord-Chamberlain, of the King's Houſhold.

Note, That the King's Pleaſure was, that Sir *Anthony Browne*, the Maſter of the Horſe, to bear his Train to the Church; and the Gentlemen of the Eſquirie about his Grace. And the Captain of the Guard after the Temporal Lords, the Guard following on each Side the Way.

And after that his Robes be off, in coming down from the Parliament Chamber; then the Dukes and Earls, Vice-Chamberlain and Maſter of the Horſe, to come next his Grace.

And then the King's Grace ſits in his Place Royal; the Lords Spiritual on the North-ſide, and the Lords Temporal on the South-ſide; ſave the Archbiſhop of *York*, the Biſhop of *Durham*, and *Carliſle*, on the Temporal Side.

And ſo Maſs of the *Holy Ghoſt* to begin, executed by the Biſhop of *Carliſle*, aſſiſted by two Abbots in *Pontificalibus*.

And, at the Goſpel-Time, all the Lords Spiritual and Temporal to go out of the Quire, and place them in ſemblable Order of their Sides, as before between

between the Gospel-Time; all the Spiritual Lords and Temporal to go out of the Quire, and place them in semblable Order of their Sides, as before, betwene the King's Travers and the Quire, save only such as attended on the King's Highness at the Offering-Time; and so remained in their said Places during the Mass, and then proceeded in like Order to the Parliament-Chamber, where every Man was placed according to their Seats and Degrees, and there tarried during the King's Pleasure. And so, all Things thus ordered, the Lord-Chamberlain declared the Causes and Intent of their Assembly in the Parliament-Chamber: Which done, the King's Highness, with all the other Lords, Spiritual and Temporal, put off their Robes, and in like Order proceeded, on Horseback, attending on the King's Highness, in Manner following: K. *Henry* VIII.

First, Gentlemen, Esquires, Knights.
Serjeants at Law.
Judges.
The Comptroller and Treasurer of the King's House.
Abbots, Bishops, Barons.
Earls.
The Archbishops of *York* and *Canterbury*.
The Lord-Chancellor, with the Lord-Chamberlain of *England*.
Garter.
The Duke of *Suffolk*.
The Duke of *Norfolk*, Lord-Marshal of *England*.
The Earl of *Shrewsbury* bearing the King's Sword.
Then the King's Highness, and about his Grace the Footmen, and eight Gentlemen of the Esquirie.
Following next, Sir *Anthony Wingfield*, Vice-Chamberlain, and Sir *Anthony Browne*, Master of the King's Horse.

After whom all the King's Guard of each Side the Street unto the Palace-Gate, where every Man lighted from their Horses, and entered in like Order after their Degrees, save that the Dukes and Earls

K. *Henry* VIII. The Lord-Marſhal of *England*, then Duke of *Norfolk*, with his Rod.

Garter before him in the King's Coat.

Then the King's Sword, borne by the Earl of *Shrewſbury*.

The Cap of Maintenance, borne by the Duke of *Suffolk*.

Then the King's Highneſs.

And, after his Grace, all the other Eſtates; as, Dukes, Marquiſſes, Earls, Viſcounts, Barons, with others, after their Degrees, in Order, two and two, after their Antienties on Horſeback, in their Robes, unto the King's Lighting-Place; where the Abbot of *Weſtminſter*, in *Pontificalibus*, with all the Church met the King. And from thence, in like Order, every Man proceeded on Foot to the Quire, ſave the Earl of *Oxford* Lord-Chamberlain of *England*, to bear his Grace's Train, aſſiſted by the Vice-Chamberlain.

Sir *Anthony Wingfield*, for Default of my Lord-Chamberlain, of the King's Houſhold.

Note, That the King's Pleaſure was, that Sir *Anthony Browne*, the Maſter of the Horſe, to bear his Train to the Church; and the Gentlemen of the Eſquirie about his Grace. And the Captain of the Guard after the Temporal Lords, the Guard following on each Side the Way.

And after that his Robes be off, in coming down from the Parliament Chamber; then the Dukes and Earls, Vice-Chamberlain and Maſter of the Horſe, to come next his Grace.

And then the King's Grace ſits in his Place Royal; the Lords Spiritual on the North-ſide, and the Lords Temporal on the South-ſide; ſave the Archbiſhop of *York*, the Biſhop of *Durham*, and *Carliſle*, on the Temporal Side.

And ſo Maſs of the *Holy Ghoſt* to begin, executed by the Biſhop of *Carliſle*, aſſiſted by two Abbots in *Pontificalibus*.

And, at the Goſpel-Time, all the Lords Spiritual and Temporal to go out of the Quire, and place them in ſemblable Order of their Sides, as before

between

between the Goſpel-Time; all the Spiritual Lords and Temporal to go out of the Quire, and place them in ſemblable Order of their Sides, as before, betwene the King's Travers and the Quire, ſave only ſuch as attended on the King's Highneſs at the Offering-Time; and ſo remained in their ſaid Places during the Maſs, and then proceeded in like Order to the Parliament-Chamber, where every Man was placed according to their Seats and Degrees, and there tarried during the King's Pleaſure. And ſo, all Things thus ordered, the Lord-Chamberlain declared the Cauſes and Intent of their Aſſembly in the Parliament-Chamber: Which done, the King's Highneſs, with all the other Lords, Spiritual and Temporal, put off their Robes, and in like Order proceeded, on Horſeback, attending on the King's Highneſs, in Manner following: K. *Henry* VIII.

Firſt, Gentlemen, Eſquires, Knights.

Serjeants at Law.

Judges.

The Comptroller and Treaſurer of the King's Houſe.

Abbots, Biſhops, Barons.

Earls.

The Archbiſhops of *York* and *Canterbury*.

The Lord-Chancellor, with the Lord-Chamberlain of *England*.

Garter.

The Duke of *Suffolk*.

The Duke of *Norfolk*, Lord-Marſhal of *England*.

The Earl of *Shrewſbury* bearing the King's Sword.

Then the King's Highneſs, and about his Grace the Footmen, and eight Gentlemen of the Eſquirie.

Following next, Sir *Anthony Wingfield*, Vice-Chamberlain, and Sir *Anthony Browne*, Maſter of the King's Horſe.

After whom all the King's Guard of each Side the Street unto the Palace-Gate, where every Man lighted from their Horſes, and entered in like Order after their Degrees, ſave that the Dukes and Earls

K. *Henry* VIII. Earls followed the King, two and two, attending to his Chamber; and then his Grace, with all others, went to Dinner.

The Liſt of the King, Biſhops, Abbots, and Lords, as they ſat in the Houſe together, ſtands in this Manner in the *Journals*[t]:

The KING.
The Archbiſhop of *Canterbury*.
The Biſhops of
London,
Winchester,
Exeter,
Lincoln,
Bath and *Welles*,
Ely,
Bangor,
Litchfield and *Coventry*,
Saliſbury,
Worceſter,
Rocheſter,
Norwich,
Chicheſter,
St. David's,
St. Aſaph,
Landaff.
The Abbots of
Weſtminſter,
St. Alban's,
St. Edmundbury,
St. Mary's, York,
Glaſtenbury,
Gloucester,
Ramſey,
Eveſham,
Peterborough,
St. John, Colcheſter,
Reading,
Malmſbury,
Croyland,
Selby,
Thorney,
Winchcombe,
Waltham,
Cirenceſter,
Tewkſbury,
Taviſtock[u],
The Archbiſhop of *York*.
Biſhops of
Durham,
Carliſle.
Thomas Lord *Audley*, of *Walden*, Chancellor of *England*,
Thomas Duke of *Norfolk*, Treaſurer of *England*,
Charles Duke of *Suffolk*, Steward of the Houſehold,
Thomas Marquis of *Dorſet*,
John

[t] This Liſt is compared with *Dugdale*'s, but differs in ſome Names and Additions. *Dugdale*'s *Summons to Parliament*, p. 501.

[u] Beſides theſe, the Abbots of *St. Bennet* of *Hulm*, *Bardſey*, *Abingdon*, *Battail*, *Hide* by *Winchester*, *St. Auguſtine* in *Canterbury*, and *Coventry*, had the ſame Privilege, but their Abbies were probably given up before this Meeting, or the Abbots dead.

John Earl of *Oxford*, Great-Chamberlain of *England*,
William Earl of *Southampton*, Lord-High-Admiral of *England*,
William Earl of *Arundele*,
Ralph Earl of *Weſtmoreland*,
Francis Earl of *Shrewſbury*,
Henry Earl of *Eſſex*,
Edward Earl of *Derby*,
Henry Earl of *Worceſter*,
Thomas Earl of *Rutland*,
Henry Earl of *Cumberland*,
Robert Earl of *Suſſex*,
George Earl of *Huntingdon*,
John Earl of *Bath*,
Edward Earl of *Hertford*,
Henry Earl of *Bridgwater*,
Arthur Viſcount *Liſle*,
John Lord *Ruſſel*, Admiral of *England*,
John Touchet, Lord *Audley*,
John Lord *Zouch*,
Thomas Lord *Delaware*,
Henry Parker, Lord *Morley*,
Thomas Fiennes, Lord *Dacre*,
William Lord *Dacre*, of *Gilleſland*,
George Brooke, Lord *Cobham*,
Henry Fitz-Allan, Lord *Maltravers*,
Walter Devereux, Lord *Ferrers*,
Edward Gray, Lord *Powis*,
William Lord *Gray*, of *Wilton*,
Edward Fenys, Lord *Clinton*,
John Lord *Scrope*, of *Bolton*,
William Lord *Stourton*,
John Lord *Lumley*,
John Nevile, Lord *Latimer*,
Charles Blount, Lord *Mountjoy*,
Thomas Stanley, Lord *Mounteagle*,
William Lord *Sandys*,
——— Lord *Conyers*,
Thomas Lord *Vaux*,
Andrew Lord *Windſor*,
Thomas Lord *Wentworth*,
Thomas Lord *Brough*,
Edward Lord *Gray*,
John Lord *Mordaunt*,
Wm. Lord *Hungerford*,
William Paulet, Lord *St. John*,
William Lord *Parre*.

K. *Henry* VIII.

The Lord-Chancellor's Speech, at the Opening of this Parliament, is wholly omitted in the *Journals*, and there are only the Names of the Receivers and Triers of Petitions to it. Nor is there any Mention of the Name of a Speaker to the Houſe of

K. *Henry* VIII. of Commons; but, by what will appear in the Sequel, from the ſame Authority, we may put down Sir *Nicholas Hare*, Knt. as choſen for that Office.

Sir NICHOLAS HARE, Speaker.

A Committee for Religion appointed.

On the 5th Day of *May* the Lord-Chancellor informed the Houſe of Lords, 'That it was his 'Majeſty's Deſire, above all Things, that the Di-'verſities of Opinions concerning the Chriſtian 'Religion in this Kingdom, ſhould be, with all 'poſſible Expedition, plucked up and extirpated: 'And therefore, ſince this Affair was of ſo extraor-'dinary a Nature that it could not well be deter-'mined in a ſhort Time, conſidering their various 'Sentiments, by the whole Houſe, the King 'thought it neceſſary, if it ſeemed good to them, 'that they ſhould chuſe a Committee of them-'ſelves, to examine into theſe different Opinions; 'and whatever they decreed concerning them might 'be, with all convenient Speed, communicated to 'the whole Parliament.' This was approved of by all; and, with unanimous Conſent, a Committee was choſen to examine theſe Opinions, the Names and Titles of whom were as follow: *Thomas* Lord *Cromwell*, Vicar-General; the Archbiſhop of *Canterbury*; the Biſhops of *Bath* and *Wells*, *Ely*, *Bangor*, and *Worceſter*; the Archbiſhop of *York*; and the Biſhops of *Durham*, and *Carliſle*.

And it was ordered that this Committee ſhould have Leave to abſent themſelves from the Service of the Houſe, whilſt they had theſe Affairs under Conſideration.

The ſame Day a Bill was brought into the Houſe, by the Lord-Chancellor, for the Appointment of Seats, or Places, in that Aſſembly, for the King's Chief Officers, *viz.* the King's Vicar-General in Spiritualities, the Lord-Chancellor, Lord-Treaſurer, and others, that from henceforth there might be no more Diſpute about them. Alſo another Bill was brought in, by which Religious Perſons, whoſe Monaſteries were diſſolved, might be enabled to inherit any Lands and Tenements which they were Heirs to.

On

On the 10th of *May* the Vicar-General aforesaid brought another Bill into the House, which was to attaint certain Traitors, lately found guilty and condemned for High Treason. These were the late Marquis of *Exeter*, the late Lord *Montague*, *Edward Nevile*, and others, as the said Bill more fully expresses. It was read twice in the House that Day, and then delivered to the Clerk of Parliament to be engrossed on Parchment: After which the Lord-Treasurer, in the Absence of the Lord-Chancellor, adjourned the House till the Day following. K. *Henry* VIII.

At which Time, the aforesaid Bill being read a third Time, the Vicar-General stood up in the House, and shewed openly a certain Habit, made of white Silk, which was found by the Lord-Admiral in the Linen Wardrobe belonging to the Countess of *Salisbury*: On the fore Part of which Garment was embroidered the Arms alone of *England*, *viz.* three Lions, surrounded with a Border of two different Flowers, called *Paunces* and *Marigolds*. On the back Part of it was the Device which the Northern Rebels lately used in their Insurrection [x].

We must have Recourse to the History of these Times for the Particularities relating to these two Affairs; and Lord *Herbert* [y] informs us that *Thomas Courtney*, Marquis of *Exeter*, Son to *Katherine*, Daughter to *Edward* IV. and consequently Cousin-German to *Henry*; *Henry Pool*, Lord *Montacute*; Sir *Edward Nevile*, Brother to Lord *Abergavenny*; with Sir *Jeoffrey Pool*, Knt. upon secret Information given by the latter, that the rest had a Design to promote and maintain one *Reginald Poole*, late Dean of *Exeter*, and now the King's Enemy beyond Sea, and to deprive the King of his Crown. The two Lords were tried for the Fact before their Peers, *Thomas* Lord *Audley*, for that Purpose, sitting as High-

[x] On the Suppression of the lesser Monasteries a Rebellion begun first in *Lincolnshire*, but was soon quashed by the Duke of *Norfolk*. Afterwards it broke out again, in a more formidable Manner, in *Yorkshire* and the other Northern Counties. The Standard they bore before them was painted with the five Wounds of our Saviour, the Sign of the Sacrament, and JESUS written in the Midst; they call'd themselves the *Pilgrimage of Grace*. *Fox*'s *Acts and Mon.* Vol. II. 992.

[y] *Kennet*, Vol. II. p. 216.

K. *Henry* VIII. High-Steward of *England*, and were both found guilty. Sir *Edward Nevile*, Sir *Jeoffrey Poole*, two Priests, and a Mariner, were also arraigned, found guilty, and Judgment given accordingly. The two Lords and *Nevile* were beheaded; the two Priests and Mariner were hang'd and quarter'd at *Tyburn*; but Sir *Jeoffrey*, the Informer, was pardoned.

The Marquis of *Exeter*, Countess of *Salisbury*, and others, attainted and executed.

Margaret Countess of *Salisbury* was Grand-Daughter to *George* Duke of *Clarence*, Brother to *Edward* IV. and Mother to Cardinal *Poole* aforesaid [z]. This Lady, with *Gertrude*, Wife to the late Marquis of *Exeter*, Sir *Adrian Fortescue*, and Sir *Thomas Dingley*, Knt. of *St. John*, were, by the same Authority, attainted this Parliament, though there is no more said of this Affair in the *Journal-Book*, nor any Notice at all taken of it in the *Statutes at large*. Against the two Ladies it was alledged, That they were both Accomplices with the Marquis of *Exeter* and other Traitors: That certain Bulls from *Rome* were found at *Cowdrey*, a Seat belonging to the Countess: That she kept a Correspondence with her Son the Cardinal: And that she forbad all her Tenants to have the New Testament in *English*, or any other Book the King had licensed, in their Houses. Against Cardinal *Poole* it was alledged, That he had conspired against the King with the Bishop of *Rome*, and had taken Preferment from him. For the other two, they were executed as Accomplices; the Countess's Death was not till two Years after, when she suffered it with an heroic Courage, disdaining to lay her Head down on the Block as a Traitor, but told the Executioner he might get it off as he could; then shaking her grey Head about every Way, for she was 72 Years old, the barbarous Fellow was forced to chop it off in a very horrid Manner. Her Son, the Cardinal, was far out of *Henry*'s Reach; and though he earnestly required him to be given up by all those Princes that had received him into their Dominions, yet he survived all *Henry*'s Pursuits, and lived to make a great Figure in this Kingdom in a succeeding Reign.

The

[z] *Kennet*, p. 219, 227.

The Noble Hiſtorian owns that both theſe Affairs are very dark, and that our Records lend us very little Light to illuſtrate them. So that what Reaſons of State *Henry* might have to deſtroy two ſuch near Relations, as the Marquis and Counteſs were to him, muſt be ſtill a Secret to all Poſterity. This may be a Reaſon why the Affair of the Counteſs was kept out of the *Journals*, *&c.* except the Pageantry of *Cromwell*'s producing the Sur-Coat of Arms in the Houſe, which was but a poor Evidence, if they had no ſtronger, againſt her. Biſhop *Burnet* obſerves [a], That theſe, and other ſuch Acts of Attainder, were of a ſtrange and an unheard-of Nature: That it is a Blemiſh never to be waſh'd off, and which cannot be enough condemned; and was a Breach of the moſt ſacred and unalterable Rules of Juſtice, never to be excuſed. Of this Way of attainting Perſons in Cuſtody without bringing them to a Trial, the Lord Chief Juſtice *Coke* thus writes, 'Although I queſtion not the Power of the 'Parliament, without Doubt the Attainder ſtands 'good in Law, yet this I ſay of this Manner of 'Proceeding, *Auferat Oblivio, ſi poteſt; ſi non, utrumque Silentium tegat:* For the more high 'and abſolute the Juriſdiction of any Court is, the 'more juſt and honourable it ought to be in its Proceedings, in order to give Examples of Juſtice to 'inferior Courts [b].'

K. *Henry* VIII.

Remarks thereon.

The *French* Writer [c] of *Engliſh* Hiſtory tells us, That this Act met with great Oppoſition in the Parliament; many objecting, That to condemn Perſons unheard, was a Breach of the moſt ſacred and unalterable Rules of Juſtice. But that *Cromwell*, having ſent for the Judges to his Houſe, aſked them, Whether the Parliament had a Power to condemn Perſons accuſed without a Hearing? The Judges anſwered, 'That it was a nice and a dangerous Que'ſtion; that Equity, Juſtice, and all Sorts of Laws 'required that the Accuſed ſhould be heard; that 'however the Parliament, being the Supreme Court of

[a] *Burnet*'s *Hiſtory of the Reformation*, Vol. I. p. 359.
[b] *Coke*'s *4th Inſtitute*, 37, 8.
[c] *Rapin*, p. 822.

K. *Henry* VIII. ‘ of the Realm, from which there could be no Appeal, the Validity of their Sentences, of what Nature ſoever they were, could not be queſtioned.’ This, adds our Author, was only ſaying, in other Words, that the Parliament would therein commit an Injuſtice, for which they could not be called to Account. And *Cromwell* having reported the Judges Opinions to the two Houſes, theſe two Ladies of the Blood Royal were condemned to die, by a Sentence which eſtabliſhed a Precedent, the moſt pernicious that had ever been known in *England*, and which proved fatal to its Author in the Sequel.——But to proceed with our Journal.

On *Tueſday* the 13th Day of *May*, and the 9th Day of the Sitting of this Parliament, the fatal Bill, for the Fall of Abbies, Monaſteries, *&c.* was brought into the Houſe of Peers by the Lord-Chancellor *Audley*. The Title of the Bill was, ‘ Concerning ‘ the Eſtabliſhment to the King's Majeſty, his Heirs ‘ and Succeſſors, of all Manner of Abbies, Priories, ‘ Monaſteries, *&c.* which had come into the King's ‘ Hands, by reaſon of the Suppreſſion, Reduction, ‘ and final Diſſolution of them, on the 4th Day of ‘ *February*, *Anno Regni* 27.’ This Bill was ordered to be read a firſt Time in the Houſe; and then becauſe that the next Day the Clergy were to attend the Convocation, and the Day following was *Aſcenſion-Day*, the Chancellor adjourned the Parliament to *Friday*, at Eight o'Clock in the Morning; the uſual Time fixed for their Meetings in thoſe Days.

This is the Title which the *Journal-Book* gives; but the Act itſelf is more explicit, and expreſſes ‘ That Leaſes of Manors belonging to Monaſteries, ‘ diſſolved or to be diſſolved, and aſſured to the King, ‘ ſhall take Effect. That the King ſhall hold, poſſeſs, and enjoy, to him, his Heirs and Succeſſors ‘ for ever, all Monaſteries, and Abbacies, Priories, ‘ Nunneries, Colleges, Hoſpitals, Houſes of Friers, ‘ or other Religious and Eccleſiaſtical Houſes ‘ and Places, which, ſince the 4th of *February*, ‘ 27 *Henry* VIII. have been diſſolved, ſuppreſſed, ‘ renounced,

'renounced, forfeited, or given up, or by any other 'Means come to his Highneſs; or which ſhall be 'diſſolved, *&c.* As alſo all Manors, Lordſhips, 'Lands, Tenements, Rights, Liberties, *&c.* belonging to them. All which, except ſuch as came by 'Attainder of Treaſon, ſhall be under the Survey 'and Government of the King's Court of Augmentation of the Revenues of the Crown. Other 'Men's Titles yet ſaved.' K. *Henry* VIII.

The total Suppreſſion of Monaſteries, Abbies, *&c.*

Thus fell the Monaſtical Prieſthood in *England*. The Number of Monaſteries diſſolved, according to *Speed*, *Stowe*, and *Camden*, amounted to 645; amongſt which 27 had Votes, and ſat in the Houſe of Lords as Mitred Abbots; of Colleges were demoliſhed, in divers Shires, 90; of Chantries and free Chapels, ſome Time after, 2374; and of Hoſpitals, 110. The yearly Income of all amounting to 160,000 *l.* being above a third Part of all the Spiritual Revenues in the Kingdom. This, added to the almoſt immenſe Sums the King muſt make of all their preſent Stock of Cattle and Corn, Timber, Lead, Bells, *&c.* but chiefly of their Plate, Jewels, and Church-Ornaments, of which are ſtill extant divers rich Inventories, muſt be incredible. This Rapine upon the Church, as the Clergy had but too much Reaſon to call it, with the miſerable Ruin of themſelves and Houſes, was divulged abroad, in ſuch Terms, ſays Lord *Herbert*, as aſtoniſhed the whole Chriſtian World: For tho' the exceſſive Number of them, adds he, excuſed the King in ſome Part for the firſt Suppreſſion, this latter had no ſuch ſpecious Pretext; ſo that, notwithſtanding the King's Neceſſities, no little Occaſion of Slander and Obloquy was given by theſe violent Proceedings [d].

It may be obſerved by thoſe who will take the Pains to peruſe this Act, that it was drawn with great Care and Circumſpection, to take off all Suſpicion of hard Uſage and forced Surrenders. To make it paſs the better, a Proſpect of vaſt Advantage was opened to the Subject. The Nobility were pro-

[d] *Kennet*, Vol. II. p. 218.

K. *Henry* VIII. Statute ought to be enacted, againſt thoſe that any ways infringe or violate them in any Particular. The ſix Articles to be examined into are theſe;

I. Whether the Sacrament be the real Body of our Lord, without Tranſubſtantiation [g]?

II. Whether the Sacrament may be given to the Laity in both Kinds?

III. Whether Vows of Chaſtity, made by Men or Women, ought to be obſerved, *Jure divino?*

IV. Whether private Maſſes ought to be kept by the ſame Law?

V. Whether Prieſts ought to marry on the ſame Authority?

VI. Whether auricular Confeſſion be neceſſary, *Jure divino?*

Theſe knotty Points of Divinity being laid before the whole Houſe to be debated on, it took ſome Time before they could come to a Determination of them: For, *May* 30, after a ſhort Prorogation, we are told in the *Journals* that the Lord-Chancellor declared before the Lords, 'That not only 'the Biſhops and other Spiritual Peers. but even the 'King's Majeſty had taken great Pains and labour-'ed inceſſantly to bring about an Union in the fore-'going Articles, and had at laſt compleated it. It 'was therefore his Majeſty's Pleaſure, that ſome 'Penal Statute ſhould be enacted, to compel all his 'Subjects, who were any ways Diſſenters or Con-'tradictors of theſe Articles, to obey them. But the 'Form of a Statute for puniſhing ſuch Offenders he 'left to their Determination.' It was therefore agreed on, by the whole Houſe, That two Committees ſhould be appointed for that Purpoſe. The Archbiſhop of *Canterbury*, the Biſhops of *Ely* and *St. Aſaph*, with Dr. *Petre* [h], were ordered to dictate and compoſe one Form of an Act for puniſhing ſuch Offenders; and the Archbiſhop of *York*, the Biſhops of *Durham* and *Winchester*, with Dr. *Tregonnel* [h], to draw up another. Which two Forms, ſo compoſed,

[g] *Abſque Tranſubſtantione.* Journ. Procer.
[h] Both Maſters in Chancery. *Burnet.*

posed, were to be presented to the King's Majesty on the *Sunday* following; which was only two Days Notice. K. *Henry* VIII.

But it was not till *June* 7 that this Bloody Bill, as the Protestant Writers justly term it, was brought into the House by the Lord-Chancellor, and read the first Time. The Title is, 'A Bill concerning 'the Punishment of those Persons, who either violate or infringe the Articles aforesaid.' The Bill was read, a second and a third Time, on the two Days following, and then delivered to the King's Attorney and Sollicitor-General, to be carried down to the House of Commons; where an Amendment was made to the Bill by them. This was again read and approved of by the Lords; so that the Bill passed both Houses on the 16th Day of *June* following; and, amongst others, had the Royal Assent on the last Day of this Session.

The six Articles contained in this Statute, and which were founded on the six foregoing Questions proposed by the Lord Treasurer, are these[i]:

In Consequence whereof six Articles are established, and those who infringe them to be burnt.

I. *If any Person, by Word, Writing, Printing, Cyphering, or any other Ways, do preach, teach, dispute, or hold Opinion, that in the blessed Sacrament of the Altar, under Form of Bread and Wine (after the Consecration thereof) there is not present really the natural Body and Blood of our Saviour* Jesus Christ, *conceived by the Virgin* Mary; *or that, after the said Consecration, there remaineth any Substance of Bread and Wine, or any other Substance but the Substance of* Christ, *God and Man; or that in the Flesh, under Form of Bread, is not the very Blood of* Christ; *or that with the Blood, under the Form of Wine, is not the very Flesh of* Christ *as well apart as though they were both together; or affirm the said Sacrament to be of other Substance than is aforesaid, or deprave the said blessed Sacrament; then he shall be adjudged an Heretic, and suffer Death by burning; and shall forfeit to the King all his Lands, Tenements, Hereditaments, Goods and Chattels, as in Case of High Treason.*

[i] *Statutes at large*, 31 H. VIII. cap. xiv. *Kennet*, Vol. II. 219.

K. *Henry* VIII.

II. *And if any Perſon preach in any Sermon, or Collation openly made, or teach in any common School or Congregation, or obſtinately affirm or defend, that the Communion of the bleſſed Sacrament in both Kinds is neceſſary for the Health of Man's Soul, or ought or ſhould be miniſtered in both Kinds; or that it is neceſſary to be received by any Perſon, other than Prieſts, being at Maſs and conſecrating the ſame.*

III. *Or that any Man, after the Order of Prieſthood received, may marry, or contract Matrimony.*

IV. *Or that any Man or Woman, which adviſedly hath vowed or profeſſed, or ſhould vow or profeſs, Chaſtity or Widow-hood, may marry or contract Marriage.*

V. *Or that private Maſſes be not lawful, or not laudable, or ſhould not be uſed, or be not agreeable to the Laws of God.*

VI. *Or that auricular Confeſſion is not expedient and neceſſary to be uſed in the Church of God, he ſhall be adjudged to ſuffer Death, and forfeit Land and Goods as a Felon.*

If any Prieſt, or other Man or Woman which adviſedly hath vowed Chaſtity or Widowhood, do actually marry or contract Matrimony with another; or any Man which is, or hath been, a Prieſt, do carnally uſe any Woman to whom he is or hath been married, or with whom he hath contracted Matrimony, or openly be converſant or familiar with any ſuch Woman, both the Man and the Woman ſhall be adjudged Felons. Commiſſions alſo ſhall be awarded to the Biſhop of the Dioceſe, his Chancellor, Commiſſary, and others, to inquire of the Hereſies, Felonies, and Offences aforeſaid. And alſo Juſtices of Peace in their Seſſions, and every Steward, Under-Steward, and Deputy-Steward, in their Leet, or Law Day, by the Oaths of twelve Men, have Authority to inquire of all the Hereſies, Felonies, and Offences aforeſaid.'

We are told [k] that great Striving and Struggling was in the Houſe about paſſing this Bill. Beſides the Archbiſhop of *Canterbury*, other Divines and Lawyers argued well againſt it; it appearing, as they urged,

[k] *Strype's Memorials*, Vol. I. p. 352.

urged, to be not only againſt Truth, but againſt common Juſtice; and that, had not the King come himſelf in Perſon into the Parliament-Houſe, it would not have paſſed. K. *Henry* VIII.

Lord *Herbert* informs us, That *Cranmer*, Archbiſhop of *Canterbury*, boldly oppoſed theſe Articles paſſing into a Law for three Days together: We ſuppoſe on the three Times reading the Bill in the Houſe of Lords. And another Writer ſays that, when it came to be paſſed, the King deſired *Cranmer* to be out of the Houſe that Day, ſince he could not give his Conſent to it; but that he humbly excuſed himſelf, for he thought he was obliged to ſtay and vote againſt it [l]. What Arguments he uſed are not known; but, adds our Author, the King was not diſpleaſed with the Prelate's Plainneſs, as knowing all he ſaid was out of a ſincere Intention. Though ſome thought he had a particular Intereſt in his Oppoſition to the third Article, by reaſon of his Wife, whom he had married about ſeven Years before in *Germany*; and, for Fear of this Statute, had ſent, or was about to ſend, her back to her Friends in that Country [m]. In the *Journal-Book*, *June* 24, we find a *Memorandum* of an Order made that Day, for enlarging the Time allowed for Prieſts putting away their Wives they had married; which, according to the Statute, was to take Place on the Feaſt of St. *John the Baptiſt*, which was that very Day; but it was now prolonged to the 12th Day of *July* following, and the Dates in the Bill were ordered to be alter'd accordingly. This ſeems to be a Compliment paid to Mrs. *Cranmer*, that ſhe might have more Time to pack up her Effects, and prepare for ſo long a Journey [n].

Amongſt

[l] *Foxe*, Vol II. p. 1037.

[m] She was Siſter to *Oſiander*, a Proteſtant Divine at *Noremberg*, in *Germany*. *Kennet*, Vol. II. p. 219.

[n] There is a Story that the Duke of *Norfolk* meeting one of his Chaplains, who was a Favourer of the Reformation, ſoon after paſſing this Act, ſaid to him, *Now, Sir, What think you of the Law to hinder Prieſts to have Wives? Yes, my Lord*, replies the Chaplain, *you have done that; but I will anſwer for it you cannot hinder other Men's Wives from having Prieſts.*

K. *Henry* VIII.

Amongſt the reſt of the Statutes that were enacted this Parliament, theſe are alſo remarkable °:

Other Acts of this Parliament.

'That Religious Perſons, who were put out of 'Monaſteries, &c. might purchaſe Lands, ſue or 'be ſued, but not claim any Inheritance as de- 'ſcending to them; and that, if they made a Vow 'of Chaſtity after one-and-twenty, they ſhould not 'marry.' But, ſays Lord *Herbert*, tho' this Act enabled them to buy, they thought it no ſufficient Amends for the Loſs of their preſent Maintenance.

'That the King, by the Advice of his Council, 'or the major Part of them, might put forth Pro- 'clamations, under ſuch Pains and Penalties as to 'him or them may ſeem neceſſary; which ſhall be 'obſerved as if they had been made by Act of Par- 'liament: But that this ſhould not be prejudicial 'to the Inheritance of any Perſons, their Offices, 'Liberties, Goods, Chattels, or Life.

'That the King might nominate and appoint 'what Number of Biſhops, Sees for Biſhops, and 'Cathedral Churches, as he pleaſed, and alſo en- 'dow them with Poſſeſſions.' On the Strength of this Act the King erected ſix new Biſhoprics, *viz.* at *Weſtminſter*, *Oxford*, *Peterborough*, *Briſtol*, *Cheſter*, and *Glouceſter*, and endowed them with the Revenues taken from diſſolved Monaſteries. All theſe, except the firſt, are in Being at this Day, and make ſome Attonement for his other more violent Depredations.

The King erects ſix new Biſhoprics out of the diſſolved Monaſteries.

The Preamble to this Act runs thus: 'That it 'was well known what ſlothful and ungodly Lives 'had been led by thoſe who were called Religious: 'But that theſe Houſes might be converted to bet- 'ter Uſes; that God's Word might be better ſet 'forth: Children brought up in Learning; Clerks 'nouriſhed in the Univerſities; that old decayed 'Servants might have Livings; poor People might 'have Alms Houſes to maintain them; Readers of '*Hebrew*, *Greek*, and *Latin* might have good Sti- 'pends; daily Alms might be miniſter'd; that Al- 'lowance might be made for mending of the High- 'Ways;

° See *Statutes at large*, 31 Henry VIII.

'Ways, and Exhibitions for Miniſters of the 'Church: For theſe Ends, and if the King thought 'fit to have more Biſhoprics or Cathedral Churches 'erected out of the Rents of theſe Houſes, full 'Power was given him to erect and found them; 'and to make Rules and Statutes for them, and 'ſuch Tranſlations of Sees, or Diviſions of them, 'as he thought fit.' K. *Henry* VIII.

The Prelate remarks [p], That this Preamble and moſt material Parts were drawn by the King himſelf; the firſt Draught of it, of his own Hand-Writing, being yet extant; and in the ſame Paper is a Liſt of the Sees which he intended to found: But what was done was ſo far ſhort of what was there deſigned, that *Burnet* can aſcribe no Reaſon for it, but the declining of *Cranmer*'s Intereſt at Court.

Another Act was made, 'For ſettling the Places 'of the Peers in Parliament;' a Thing which had been much controverted in former Reigns; by which *Cromwell*, the King's Vicar-General, tho' a Lock or Blackſmith's Son, had the Precedence of all Perſons except the Royal Family.

Some more Acts were made for the Exchange of Abbey-Lands; whereby it appears, as Lord *Herbert* obſerves, that it was the King's Intention to unite all thoſe Lands, *&c.* to the Crown.

Nor was the Parliament wholly intent on theſe higher Matters, but lent ſome of their Thoughts on the Preſervation of Fiſh and Fowl. Two Acts were made for that Purpoſe, 'whereby it was made 'Felony to fiſh with Nets, *&c.* in the Night, or 'to break any Pond-Head, in order to take them; 'and three Months Impriſonment for thoſe who 'fiſhed in the Day-time in any Man's Liberties 'without Leave.' Alſo it was enacted, 'That it 'ſhould be Felony to take, in the King's Manors, 'any Egg or Bird of any Falcon, Goſhawk, or 'Laner, out of the Neſt; or to find or take up 'any Falcon, Jerfalcon, Jerkin, Sacer or Sacerite, 'Goſhawk, Laner or Lanerite, of the King's, ha-

'ving

[p] *Burnet*, Vol. I. p. 262.

K. *Henry* VIII. ‘ving on the King’s Arms and Verviles, and do ‘not bring them to the King’s Falconer within ‘twelve Days, *&c.*’ This is no farther remarkable, than for giving the different Names and Species of thoſe Birds of Prey uſed in that truly Royal Diverſion of Hawking in thoſe Days.

We ſhall now draw to a Concluſion of this Seſſion; which, tho’ not long, yet there was *multum in parvo Tempore* done in it. It is obſervable that no Subſidies were either demanded or granted in this or ſome preceding Parliaments. It may well be ſuppoſed that the Spoil of the Monaſteries, *&c.* had ſo ſufficiently filled the King’s Coffers, that he had no Occaſion for any farther Supply: But yet we find, in the *Journal-Book*, that a Motion was now made in the Houſe of Lords, by the Lord-Treaſurer, very much tending that Way: We are there told that, on the 20th Day of *May*, and only the 12th Day of the Seſſion, the Duke of *Norfolk* declared to the Houſe, ‘That the King had taken ‘great Pains, and been at vaſt Expence, in the Go‘vernment and Reformation of this Kingdom; ‘which Labour and Charge it behoved every ‘Member there to conſider of, and to allow a pro‘per Recompence: And ſince, by reaſon of the ‘Shortneſs of Time, this could not be then effect‘ed, his Opinion was, That one of the Temporal ‘and one of the Spiritual Lords ſhould be, by ge‘neral Conſent, appointed to wait upon his Ma‘jeſty, and humbly beſeech him that he would ‘pleaſe to prorogue this Parliament, and not diſ‘ſolve it, that, at the next Seſſion, they might ‘again take into Conſideration the Expence afore‘ſaid.’ The Lord-Chancellor, by the Aſſent of All, was alone deputed to go to the King with this Meſſage; who returned, and ſaid his Majeſty would be at the Houſe the next Day, in order to grant their Requeſt; which was done accordingly.

June 28. The King came to the Houſe, in order to paſs the Bills, and to put an End to this Seſſion of Parliament. At which Time Sir *Nicholas Hare*, Speaker

Speaker of the House of Commons, addressed his Majesty in an elegant and learned Speech, says our Authority; and, finally, humbly besought him that he would give the Royal Assent to the Bills that were ready for that Purpose: Which being all read and assented to, the Lord-Chancellor, Sir *Thomas Audley*, prorogued the Parliament from that Day to the 3d of *November* following. K. *Henry* VIII. The Parliament prorogued.

Mr. *Rapin* remarks, 'That never did Parliaments coincide with their King's Affections and Inclinations so much as this did; for, as in the last Session, they gave a clear Evidence that they minded less what was just and equitable in the Act of Succession, than what would please the King; so in this they were not only insatiable in approving whatever the King then did, but whatever he might do for the future. The Act, adds our Author, that the same Obedience should be paid to the King's Proclamations, or to the Orders of his Council, during a Minority, as to the Acts of Parliament, was giving the Sovereign almost a despotic Power: It was pretended that Cases might happen when the King had no Time to call a Parliament; and yet it was necessary, for the Good of the Realm, that his Orders should be executed, otherwise there might be Danger of falling into great Inconveniences. Thus, to avoid a possible, but withall an uncommon, Inconvenience, another, much more considerable, was run into; for, if the King's Orders were to be obey'd without Concurrence of Parliament, he had no Occasion to call one if he did not think proper to do it. It is true, adds our Author, there were some Limitations in this Act, as, That no Person should be deprived of Life or Estate by Virtue of the King's Proclamation, nor any Laws or Custom broken or subverted thereby; but these Restrictions were so ambiguously worded, that it was easy for the King to evade them: And upon this Act was grounded the great Change in Religion, which happened in the Non-age of his Son and Successor.'

The Act with the six Articles, then called *The Lash with six Stings*, being now published, it caused much

K. *Henry* VIII. much Murmur and Apprehenſion in the new Reformers; and yet this Law was not uſed with much Rigour till after the Death of *Cromwell*; though it evidently ſhews that the King and Parliament had a greater Deſire to engroſs the Riches of the Church, than to ſet about reforming any Errors, or Tenets, which had crept into the Romiſh Religion. Two Biſhops, however, out of the whole Bench, had Conſcience enough to reſign their Biſhoprics rather than conform to the Articles: Theſe were *Latimer*, Biſhop of *Worceſter*, and *Shaxton*, Biſhop of *Saliſbury*; who, by this Means, ſhewed themſelves as conſcientious about Religion, as Sir *Thomas More* and Biſhop *Fiſher* had been ſcrupulous about the Supremacy.

Two Biſhops reſign rather than conform to the ſix Articles.

King *Henry* had been made once more a Widower, without the Help of an Executioner, by the Death of Queen *Jane*; who, after being delivered of a Son, called *Edward*, *Oct.* 12, 1537, died in Child-Bed, and was buried at *Windſor*. *Henry* was now in no Haſte to marry again, but continued in a State of Widowhood more than two Years; and his Age and Corpulency might well have ſecured him from any Attempts of that Kind for the future: But a foreign Match being propoſed to him with the Lady *Anne* of *Cleve*, Siſter to *John* the Duke of that Name, Policy, and his own Intereſt abroad, drew him in to accept of it: But diſliking this Lady on her Landing, though *Henry* forced himſelf to marry her, yet he would never conſummate with her, and ſought all Means poſſible for another Divorce.

Queen *Jane* dies, and *Henry* marries the Lady *Anne* of *Cleve*.

Thomas Lord *Cromwell*, the Prime Miniſter, firſt fell into Diſgrace about this Match, having been the principal Perſon who adviſed the King to it; for tho' he was now raiſed to the Height of his Honour and Power, having been created Earl of *Eſſex*, and made Lord-Great-Chamberlain to the King, yet he was ſoon after caſt down from this Pinacle of Glory, being arreſted at the Council-Table by the Duke of *Norfolk*, when he leaſt ſuſpected it, and ſent Priſoner to the *Tower*.

But,

But, before this happened, the Parliament met again at the Time appointed by the Prorogation, by a Commiſſion under the Broad Seal, directed to *Thomas* Lord *Audley* of *Walden*, Lord-High-Chancellor of *England*; *Thomas* Duke of *Norfolk*, Lord-Treaſurer; *Charles* Duke of *Suffolk*, Lord-Preſident of the Council, and to his faithful Counſellor *Thomas* Lord *Cromwell*, Lord-Keeper of the Privy Seal; alſo to *John* Earl of *Oxford*, Great-Chamberlain, and *William* Earl of *Southampton*, Lord-High-Admiral of *England*; they were impowered to prorogue the preſent Parliament, from the aforeſaid third Day of *November*, in the 31ſt Year of this King to the 14th Day of *January* next following. The Commiſſion is at large in the *Journals*; but it is no farther neceſſary here: For, on the ſaid 14th of *January*, by another Commiſſion, directed as above, except that *Robert* Earl of *Suſſex*, *Edward* Earl of *Hertford*, with *Cuthbert* Biſhop of *Durham*, are added, the Parliament was again prorogued to the 12th Day of *April* next enſuing. K. *Henry* VIII.

At which Time, being once more aſſembled in the Place called the Parliament-Chamber, in the old Palace at *Weſtminſter*, the Spiritual and Temporal Lords all preſent, except the Abbots, *Cromwell* being the firſt in the Liſt under theſe Titles; Anno Regni 32. 1541.

Thomas *Dominus* Cromwell, *Eques Sacri Ordinis Garteri*, *Cuſtos Privati Sigilli Domini Regis*, *ac ſuæ Majeſtatis Vicegerens*, [Vicar-General] *et Officialis principalis ad Cauſas Eccleſiaſticas*; *Cromwell* made the King's Vicar-General, and takes Place next the Blood Royal.

The Lord-High-Chancellor opened the Seſſion in a Speech of ſome Length, but which the *Journaliſt* gives to this Effect:

'By the Command of the King's Majeſty this 'Parliament was firſt ſummoned, begun, and pro-'rogued, as well for the Piety and Reverence 'which he bears to the Glory of Almighty God, 'as for the Zeal and Paternal Affection he has to the 'Lords his Aſſiſtants in Government, and the whole 'Body of the *Engliſh* Nation, his moſt dear, faithful, 'and true Subjects; that at length, by theſe Parlia-'mentary Councils, that Thing may be effected,

'which

K. *Henry* VIII. 'which is moſt conducive to the Glory of God, the 'Security of the Kingdom, and the greateſt Benefit 'to the Commonwealth. Therefore his Majeſty 'now, as before, admoniſhes, exhorts, demands, 'and, by his Royal Authority, commands the Lords, 'both Spiritual and Temporal, that they would 'freely, openly and ingenuouſly declare their Minds 'on thoſe Things which may ſeem to tend there-'to; and, by their free Suffrages, give a Sanction 'to them. And, on the contrary, that they would 'take Care to abrogate and take away all pernicious 'and adverſe Errors, that Concord, Harmony, and 'Proſperity may flouriſh, and that a perfect Union 'may be eſtabliſhed. Conjuring them, that they 'would not be negligent in theſe Matters, by the 'Duty and Reverence they owed to Almighty 'God, Reſpect to their King, and Piety to their 'Country and the Commonwealth.'

After the Chancellor had ended his Harangue, with the Praiſes and Approbation, as the *Journal* expreſſes it, of all the Peers, *Thomas* Lord *Cromwell*, Knight of the Garter, ſtood up, and ſpoke to this Purpoſe;

He propoſes two Committees for ſettling Matters of Religion.

'He firſt took Notice of the Concord which the 'Chancellor had particularly adviſed amongſt 'them; than which nothing could be a greater 'Bond for the Safety of the King's Majeſty and 'the Commonwealth; ſince nothing could be more 'wiſhed for, than that a perfect Harmony and mu-'tual Conſent ſhould always ſubſiſt between the 'Head and Members of this National Body. That 'his Majeſty loved Concord as much as he hated the 'contrary Vice; but he knew very well that there 'were not wanting many Tares which grew up 'in his Field amongſt the Corn; which, by the 'Boldneſs and Bitterneſs of ſome, the inveterate 'and corrupt ſuperſtitious Tenacity of Opinions in 'others, excited many Contentions and Quarrels 'amongſt thoſe, who would otherwiſe be pious 'Chriſtians. Some call the others Papiſts, whilſt 'thoſe again term them Heretics; both wicked 'in their Kinds, and not to be endured; and the leſs

'ſo,

'so, by reason of the Holy Word of God, which his K. *Henry* VIII.
'most Serene Highness, out of his Benignity, had
'suffered to be published in Books, for the Safety and
'Comfort of his People; that they might read,
'in their native Language, how much that most
'holy Gift of God had been miserably abused and
'perverted. Thus, while some follow Heresies and
'others Superstitions, I call it, adds he, a Confusion
'of Things, which proceeds from wicked Minds.
'Our most illustrious Monarch, who, as much as
'in him lies, neither favours one nor the other Side,
'but professes himself a most sincere Christian, as a
'most Christian Prince ought to be, neither wavers
'to the Right nor Left; but, prescribing himself a
'direct Line, guides and directs his Steps and
'Judgment by the pure Word of God and an
'Evangelistical Sincerity.

'That therefore all Errors may be rooted out
'to make Room for the true Religion, his Majesty
'makes it all his serious Care and Endeavour; and,
'in this principally, that all well-polished set Forms
'of the holy Gospel's true Doctrine may be esta-
'blished. *Secondly*, That all pious Ceremonies
'and Customs may be separated from the wicked;
'their real Uses taught and inculcated, and their
'Abuses rectified; and, that Things may at
'length go well, all the Inhabitants of this Island,
'especially *Englishmen*, should be admonished
'against Books which treat of impious and irrever-
'rent Subjects, by a wicked Perversion and auda-
'cious Interpretation of sacred Writ. Heavy Pains
'and Penalties should be laid upon those who of-
'fend in these Things out of Malice, that others
'may take Example from thence, and not run
'headlong to their own Destruction, and be pu-
'nished by Laws worthy of the Lawgivers.

'And that *Christ*, the Word of *Christ* and Truth,
'may conquer all Errors, in the true Exposition
'and Setting-forth of the Gospel, his Majesty hath
'chosen certain Bishops and Doctors, that will sin-
'cerely inform us what belongs to the Institution
'of a Christian Man. These the Orator reckon-

'ed

K. *Henry* VIII. ‘ed up by Name, *viz.* the Archbiſhops of *Canter-*
‘*bury* and *York*; the Biſhops of *London*, *Durham*,
‘*Wincheſter*, *Rocheſter*, *Hereford*, and *St. David's*;
‘the Doctors *Thurlby*, *Robinſon*, *Cox*, *Wilſon*,
‘*Dey* Almoner to the Queen, *Oglethorp*, *Redman*,
‘*Edgeworth*, *Crayford*, *Symonds*, *Robins*, and Doc-
‘tor *Treſham*, who were all to treat of the true
‘Doctrine of *Chriſt*. Other Biſhops the King
‘had choſen to expound the Difference and Rea-
‘ſonableneſs of Ceremonies, *viz.* the Biſhops of
‘*Bath*, *Ely*, *Saliſbury*, *Chicheſter*, *Worceſter*, and
‘*Landaff*, and to theſe, ſaid he, the Buſineſs of exa-
‘mining into Rites and Ceremonies was commit-
‘ted. Nor would there be wanting, to the Aſſiſt-
‘ance of both theſe Committees, his Majeſty's own
‘Suffrage, ſincere and exact Judgment, to crown
‘the whole. *Laſtly*, That his Majeſty's Authority
‘might not be deſpiſed or made a Jeſt on, all the
‘King's Judges and Commiſſaries, who had offen-
‘ded againſt the known Laws of the Land, were
‘to be puniſhed, at the Diſcretion of theſe Dele-
‘gates, by the Statutes in Force.’

We are told by the *Journaliſt*, That great Praiſes and Commendations were alſo beſtowed on the King's Vicar-General, by the Lords, for his eloquent Speech, and the handſome Manner he delivered his Majeſty's Mind to them; by which he ſeemed worthy of being appointed Vicar-General of the Univerſe. And that they might, as far as in them laid, promote this holy and pious Study and Deſign, it was unanimouſly agreed to ſet aſide every *Monday*, *Wedneſday*, and *Friday*, from all other Buſineſs, to attend to it. And every Afternoon of the Week ſhould be for the ſame Uſe; praying to God that he would proſper a Work ſo well begun as this ſeemed to be.

A Subſidy granted.

May 8. The Bill, mentioned at the latter End of the laſt Seſſion, for a Subſidy of one Fifteenth and a Tenth, was brought into the Houſe of Lords, and read the firſt Time. There were alſo the uſual Taxations on Denizens and Aliens added to it.

The

The Clergy alſo gave 4 *s.* in the Pound; which exorbitant Demand, ſays Lord *Herbert*, was ſolely laid upon *Cromwell* as the Occaſion, which gained him an univerſal Hatred amongſt the People, and was one Reaſon of his ſudden Fall after it. K. *Henry* VIII.

Biſhop *Burnet* [q] writes that this Supply from the Clergy was given as an Acknowledgement of the great Liberty they enjoyed, by being deliver'd from the Uſurpations of the Biſhops of *Rome*, and in Recompence of the great Charges the King had been at, and was ſtill to be at, in building Havens, Bulwarks, and other Forts, for the Defence of his Coaſts, and the Security of his Subjects. As to the Subſidy granted by the Laity, the ſame Hiſtorian aſſures us, but from what Authority we know not, that it was demanded as a Gift on the King's intended Marriage; which he was forced to aſk of the Parliament, becauſe he had huſbanded the Money ſo ill which came by the Sale of Abbey-Lands: That this was obtained with great Difficulty, for it was ſaid, That if the King was already in Want after ſo vaſt an Income, eſpecially being engaged in no War, there would be no End of his Neceſſities, nor were they able to ſupply them. To this it was anſwered, That the King had laid out vaſt Sums in fortifying the Sea-Coaſts, and tho' he was then in no viſible War, yet the Charge he was at in keeping up the War beyond Sea, was equal to the Expence of one, and much more to the Advantage of his People, who were kept at home in Peace and Plenty. The Prelate informs us that theſe Arguments obtained a Grant of a Tenth and four Fifteenths; tho' this laſt is expreſly againſt the Authority of the *Journal*, which only mentions one Fifteenth, as before obſerved.

The ſame Day a Bill was return'd from the Houſe of Commons, with one Proviſion by them annexed, for putting into the King's Hands all the Lands and Poſſeſſions belonging to the Knights of St. *John* of *Jeruſalem*, which was read and paſſed. The Noble Hiſtorian of this Reign ſays that theſe Reaſons were aſſigned for bringing in this Bill: 'Becauſe the The Order of St. *John* of *Jeruſalem* ſuppreſſed.

[q] *Hiſtory of the Reformation*, Vol. I. p. 283, 284.

K. *Henry* VIII. 'Knights of *Rhodes*, or St. *John*, otherwiſe called 'the Friars of the Religion of St. *John*, drew yearly 'great Sums of Money out of the Kingdom; that 'they maintained the uſurped Power of the Church 'of *Rome*; that they defamed and ſlandered the 'King and his Subjects; that the Iſle of *Rhodes*, 'whence the ſaid Religion took its Name, was 'then ſurprized by the *Turks*; and, laſtly, that the 'Revenues might be better employed for the De-'fence of the Realm.' Thus, adds our Authority, fell that antient and pious Order, not without much Scandal abroad both to the King and Government. The Grand Prior, who had a principal Place in the Houſe of Lords, with ſome others of the Order, who were conformable to this Reduction, had Penſions allowed them for Life.

May 11. After the reading of ſix private Bills from the Houſe of Commons, and the Lords ſtill ſitting, Sir *Nicholas Hare*, Speaker of that Houſe, with the Members, came up, to whom the Chancellor declared the King's Mind to this Effect: 'That ſince the Feaſt of *Penteco ſt* was now ap-'proaching, and it was not poſſible to put an End 'to this Parliament before that Time; and though 'the King underſtood that the greateſt Part of the 'Buſineſs which concerned his Majeſty had been 'expedited, particularly the Subſidy, for which he 'returned them Thanks: Yet his Majeſty reflect-'ing that this Parliament was firſt called for the 'Eſtabliſhment of the Public Good of this King-'dom, and a true Concord in the Chriſtian Reli-'gion; and ſince that great Work cannot be ſo 'ſoon perfected, which not only concerns this 'Kingdom of *England*, but alſo other Nations and 'the whole Chriſtian Church, who have their Eyes 'and Minds ſet upon their Proceedings: Therefore 'his Majeſty judges it highly neceſſary that theſe 'Matters ſhould be more maturely treated and diſ-'cuſſed by himſelf, the Biſhops, and Clergy; for 'which, and ſeveral other Cauſes, the King thought 'fit, by his Letters Patent, to prorogue this Parlia-'ment,

'ment, from that Day, to the 25th Day of *May* 'next following; exhorting all and singular Mem-'bers of both Houſes to give their Attendance at 'the Time aforeſaid.' Next follows, in the *Journal*, a Copy of the King's Letters Patent for this Prorogation, which is unneceſſary here. K. *Henry* VIII.

May 25. The Parliament being again aſſembled, the firſt Thing that was read in the Houſe of Peers was a Bill to aſſign a Jointure on the King's Marriage with the Lady *Anne* of *Cleve*, now called Queen of *England*. This Lady has been mentioned before, the King, during the laſt Prorogation, having forced himſelf to marry her; but in a very ſhort Time we ſhall find that this very Parliament, which now ſettled a Jointure, was equally concerned in a Divorce. A Jointure for Queen *Anne* of *Cleve*.

June 10. There is an Entry made in the *Journal-Book*, That on this Day, about Three o'Clock in the Afternoon, *Thomas* Lord *Cromwell*, Earl of *Eſſex*, and the King's Vicar-General, was attached of High Treaſon in the Council-Chamber at *Weſtminſter*; and, by the Lord-Chancellor and other Lords there preſent, committed Priſoner to the *Tower*: And, the 17th of the ſame Month, a Bill of Attainder was brought into the Houſe and read againſt him; which paſſed both Houſes on the 29th, *nem. con.* [r] *Thomas* Lord *Cromwell* attainted and executed for High Treaſon.

Thus this Man, who had, from a very low Beginning, mounted to the Summit of Glory, was on a ſudden caſt down; and is another terrible Inſtance, along with Cardinal *Wolſey*, how ſlippery the Footing is of thoſe who depend on the Smiles of Princes. He was condemned unheard, and executed on *Tower-Hill* the 28th Day of *July*, four Days after the Diſſolution of this Parliament [s].

[r] See the Preamble to this Act of Attainder, where all his Crimes were ſummed up together, in *Burnet*'s *Reformation*, Vol. I. p. 278. The chief of which were, for favouring and maintaining a Tranſlation of Heretical Books in *Engliſh*, and for countenancing and ſupporting Heretical Teachers; for being an Heretic himſelf, and for having ſpoken bold Words for the upholding his ſaid Religion, *viz.* *That the King himſelf ſhould not change it if he would*, &c.

[s] With *Cromwell* was beheaded *Walter* Lord *Hungerford*, of *Heyteſbury*,

K. *Henry* VIII. Mr. *Foxe*, the Martyrologiſt, breaks out into High Invectives againſt this Proceeding; and does not ſtick to tax Parliaments themſelves with very ſcandalous temporizing Meaſures. In the Courſe of his Hiſtory he has beſtowed many ſevere Cenſures on thoſe of our Kings who any ways perſecuted Lollards or Heretics; but here, out of Regard to the Memory of his Martyr *Cromwell*, he has taken Pains to ſhew, by ſeveral Inſtances, drawn from his own Work, how ſervile Parliaments have been to the capricious Humours of their Princes. We are perſuaded that his own Words will be no diſagreeable Entertainment to the Reader[t].

'Such malicious Makebates about Princes and 'Parliaments never lacked in Commonweals. By 'ſuch King *Ethelſtane* was incenſed to kill his Bro- 'ther *Edwin*. So was King *Edward* II. depoſed. 'So likewiſe when King *Richard* II. was once 'brought into the Tower, what Crimes and Ac- 'cuſations were laid againſt him in Parliament! 'So was *Humphrey*, the good Duke of *Glouceſter*, 'the King's Uncle, by *Henry Beauford*, Biſhop of '*Wincheſter*, and others, in the Parliament holden 'at *Bury*, arreſted as a Traitor and falſly made 'away. What great Treaſon was in the Words of 'him, who, dwelling in *Cheapſide*, at the Sign of 'the *Crown*, ſaid merrily to his Son, that if he lived 'he would make him Heir to the *Crown?* and yet 'was he therefore attainted and judged for a Traitor. 'In the Time of King *Henry* VIII. how was that 'Parliament incenſed, wherein both Queen *Anne* 'was falſly condemned, and Queen *Elizabeth* diſ- 'inherited? To omit the Attainder of the Duke of '*Buckingham*, wrought by the Cardinal of *York*; 'of the Lord *Cobham* likewiſe and Sir *Roger Acton*. 'If the Cauſe of *Henry*, late Earl of *Surrey*, was 'well tried out, peradventure no ſuch heinous Pur- 'poſe of Treaſon ſhould be found therein as was 'then made. Who incenſed the late Duke of *So-*

'*merſet*

Heyteſbury, for Buggery, and *William Boid*, Clerk, his Chaplain, who were both attainted in this Parliament; but treaſonable Words, Conjuration, &c. were alſo laid to their Charge. *Burnet*, p. 361.

[t] *Foxe's Acts and Monuments*, Vol. II. p. 1085.

'*merſet* to behead his own Brother, but ſuch Make- K. *Henry* VIII.
'bates as theſe? And afterwards when the ſaid Duke
'himſelf was attainted for a Traitor, and condemn-
'ed for a Felon, a Briber and an Extortioner, how
'was the Parliament then incenſed? *Adam Dam-*
'*lip* received of Cardinal *Poole*, at *Rome*, by Way of
'Alms, but a ſilly Crown; and therefore, by Means
'of *Stephen Gardiner*, was attainted for a Traitor.
'Not that I here ſpeak or mean any Thing, adds our
'Author, againſt the High Court of Parliament of
'this Realm, &c. And ſo he goes on, daubing over
'the Chaſms he has here made in this great Branch
'of our *Engliſh* Legiſlature, for a half Folio-Page
'together.—But to proceed with our own Hiſtory.

On the 6th Day of *July*, after the reſt of the Buſineſs was done in the Houſe, the Lord-Chancellor, the Archbiſhop of *Canterbury*, the Dukes of *Norfolk* and *Suffolk*, the Earl of *Southampton*, and the Biſhop of *Durham*, partly by the Mouth of the Chancellor, and partly by their own, ſpoke to the reſt of the Peers to this Effect:

'That they very well knew what bloody and
'cruel Slaughter had formerly been acted in this
'Kingdom, by reaſon of various Contentions oc-
'caſioned by dubious Titles to the Succeſſion of
'this Crown: And ſince, by the Grace of God, all
'theſe Controverſies were ceaſed, and all thoſe
'Titles were united, by the divine Benevolence,
'in the ſingle Perſon of his moſt ſerene Majeſty, ſo
'that no Occaſion of Diſcord could ariſe, unleſs this
'ſhould happen, that their only Hope, the Noble
'Prince *Edward*, undoubted Heir to his Father's
'Kingdoms, ſhould be taken from them by ſome
'ſiniſter Accident. In that Caſe, which God avert,
'it is neceſſary, for the general Safety, that ſome
'other future Heir, by the divine Goodneſs, may be
'born to them in true and lawful Wedlock: And
'ſince this is very doubtful by the late-contracted
'Marriage of his Majeſty and the moſt Noble Lady
'*Anne* of *Cleve*, becauſe of ſome Impediments,
'which, upon Inquiry, may ariſe to make the Va-

K. *Henry* VIII. 'lidity of that Marriage dubious. Alſo, for the 'Quietneſs and Concord of the whole Common-'wealth in ſucceeding Times, that nothing of this 'Kind ſhould ſpring up to diſturb it, it was their 'ſerious Advice to their Lordſhips to take it into 'the Conſideration of the whole Houſe; and that a 'Matter of ſuch high Concern, to every Degree of 'Men in the Kingdom, might be properly conſider-'ed, it was neceſſary that the Houſe of Commons 'ſhould be alſo conſulted about it: That after-'wards a Committee of both Houſes ſhould be ap-'pointed to wait upon his Majeſty, humbly open-'ing to him, as far as Decency would admit of, 'their Doubts and Scruples in this Matter; and 'humbly intreating that he would pleaſe to acquaint 'them whether the aforeſaid Marriage was valid or 'not; and that his Majeſty would permit the 'Judgment and Deciſion of this Queſtion to be laid 'before the Archbiſhops, Biſhops, Deans, Arch-'deacons, and the whole Clergy of *England*, now 'aſſembled in Convocation.'

The Parliament propoſe to the King an Inquiry into the Validity of his laſt Marriage,

The whole Houſe of Peers came to an unanimous Reſolution, on the Chancellor's Motion, to ſend ſome of their Members to the Houſe of Commons to acquaint them with the Particulars of it; and to deſire that, after due Deliberation had thereon, they would ſend back ſix of their Body to inform their Lordſhips of the Reſult of their Conſultation. The Commons ſent Sir *Thomas Cheney*, Knight, Treaſurer of the King's Houſhold, and Sir *William Kingſton*, Comptroller, with others, to the Number of twenty, as a Committee of their Houſe, to go along with the Lords, without Delay, to wait upon his Majeſty with the aforeſaid humble Supplication. All the Temporal Lords and this Committee accordingly waited on the King; when the Chancellor opened the Cauſe of their coming, by firſt returning his Majeſty their hearty Thanks for all his Kindneſſes and Indulgences to them, particularly for the late Act of Grace: And then told him, That they had a Matter of great Moment to communicate, if his Majeſty would give them Leave, and pardon their

their Presumption. The King answered, 'That 'he could never expect that any Thing would come 'from them that was either evil, dishonest, or un- 'reasonable, and therefore bad them speak their 'Minds freely to him.' And, after the Chancellor had delivered the aforesaid Address, his Majesty again replied, 'That indeed their Message was of 'such a Nature, that he could neither deny nor 'grant their Request; but that, however, he would 'refer the Disquisition of this important Question 'to the Judgment and Determination of the Clergy 'in the Convocation of both Provinces. In which 'Order, he believed, there were as many grave, 'learned, honest, and pious Men, as could any 'where be found, who would not say a Thing 'which was not just and right; and to these he 'would commit the Affair for their Examinations;' and ordered his Letters Patent to be made out accordingly.

K. *Henry* VIII.

Which *Henry* refers to the Convocation;

This Business was very soon concluded; for we are told by the *Journal*, that, on the 10th Day of *June*, the two Archbishops and the rest of the Bishops declared to the House of Lords, that they had examined into the Affair of the Marriage, by Virtue of the King's Commission directed to them, and that, both by divine and human Law, they had found it invalid: Which Sentence they produced under the Hands and Seals of them all; and which being publickly read and approved on, two of that Reverend Body were assigned to carry it down to the House of Commons for their Approbation: And, in Consequence thereof, a Bill was brought in the very next Day, concerning the Invalidity of the Marriage between the King's Majesty and Lady *Anne* of *Cleve*, which passed the House of Lords the Day after; and, in a few Days more, was expedited thro' the House of Commons; and *Henry*, who had always another Wife ready on the Death or Divorce of a former, was publickly married to the Lady *Katherine Howard*, Niece to the Duke of *Norfolk*. Thus, says Lord *Herbert*, a Law was passed, declaring the Marriage void on the Sentence of the Clergy of *England*, and

In Consequence whereof he is divorced,

And married to Lady *Katherine Howard*.

K. *Henry* VIII. and the Lady's forced Consent; making it High Treason for any one to judge or believe otherwise [u].

Mr. *Rapin*, after producing Arguments to invalidate the several Reasons which *Henry* gave for this second Divorce, concludes with this Reflection [x]. He says, 'That the King must have had a very 'ill Opinion both of the Convocation, the Parliament, and the Public, to alledge such extraordinary Causes for this Divorce: But the Clergy 'thought those Reasons solid, and passed a Sentence 'of Divorce upon them; and the Parliament was so 'abject as to prostitute themselves to the King's 'Passion, and confirm the Sentence; not one single 'Vote being against it: So much did every one 'dread the King's Displeasure.' He adds, 'This is 'a remarkable Evidence of what I have often intimated, that in every Thing transacted in *England*, during the latter Part of *Henry* the Eighth's 'Reign, the Clergy and Parliaments ought to be 'considered only as the King's Instruments to 'gratify his Passions. To him was due the Praise 'of whatever was good and useful; and he it is 'that ought to be blamed for whatever was done 'amiss. Mean while the Parliament and Clergy 'are inexcusable, for not having endeavoured to 'support the Cause of Truth and Justice, when 'they believed them to be oppressed.'

Acts passed. The rest of the Acts thought proper to be taken Notice of by the Noble Historian are these;

'Another Act also was made, shewing what Marriages were lawful, and what not. Wherein is ordained, That all Marriages, without the Degrees prohibited by God's Law, made and consummate by carnal Knowledge, shall be firm and good; notwithstanding any Precontract, which hath not been so consummate. But this Law was repealed 1 and 2 *Phil.* and *Mar.* and 1 *Eliz.* 1.

'Other Acts also were passed this Session of Parliament, which began *April* 12. Among which I thought fit to remember these. An Act declaring in

[u] *Kennet*, Vol. II. p. 224.
[x] *History of England*, Vol. I. p. 826.

in what Cases a Man may dispose all his Lands by his last Will in Writing; and in what, but Part thereof. And in what Cases the King and other Lords shall have their Wardships. K. Henry VIII.

'That no Person should sell or buy any Right or Title, or maintain it, or procure Maintenance in any Suit.

'The Punishment also, by Death, of Priests married or unmarried, and of Women offending with them by Incontinency, was repealed: For as the Clergy of those Times thought it, though one of the six Articles, too severe, the Punishment, upon their Remonstrance, was laid on their Goods, Chattels, and Spiritual Promotions: And this also better pleased the King.

'Sanctuaries also, and privileged Places, were reduced to a few; and certain Rules prescribed to them.

'That Horses feeding on Commons, not being of a lawful Height, (that is to say, not being fifteen Hands high at two Years old) should be seized on by any Man for his own Use.

'That Forests, Heaths, Commons, &c. should be driven once in the Year, and unlikely Tits in them to be killed. Nevertheless, that Horses of small Height might be put where Mares were not kept.

'The Statutes also of 5 *Richard* II. c. 3. 6 *Richard* II. c. 8. 4 *Henry* VII. c. 10. and 23 *Henry* VIII. c. 7. touching freighting in *English* Ships, were only rehearsed and confirmed, and a Rate set down what should be paid for the Freight, or Portage, of the several Sorts of Merchandizes from the Port of *London* to other Places, and from thence to *London*.

'That no Alien nor Denizen shall set up any Trade in the King's Dominions; and they who are Denizens should be bound by and unto all the Laws and Statutes of this Realm, particularly those of 14. *Hen.* VI. I. and 21 *Hen.* VIII. above-mentioned.

'That *Trinity* Term, in regard of Impediment of Harvest and Danger of Infection, should be abbreviated.

K. *Henry* VIII. viated. Certain Privileges alſo were granted to Phyſicians in *London*; as that they ſhould not keep Watch and Ward, nor be Conſtables; and that they might practiſe Chirurgery: Barbers and Chirurgeons were alſo made one Company, and certain Privileges given them; as not to bear Armour, or to be put in any Watches or Inqueſts.

'A Court alſo of the Firſt-Fruits and Tenths, granted to the King, was erected.

'The Court of the King's Wards alſo, and the Names and ſeveral Duties, and Offices thereof, was erected.

'Laſtly, a general and free Pardon was granted of all Hereſies, Treaſons, Felonies, and Offences, ſome particular Perſons and Matters only excepted.'

The *Journals* inform us, That, on the 24th Day of *July*, when the King came to the Houſe of Lords, with the uſual Ceremony, in order to paſs the Bills, and to put an End to the Parliament, Sir *Nicholas Hare*, Knight, Speaker of the Houſe of Commons, addreſſed himſelf to the King, on his Throne, to this Purport:

The Speaker's Speech at the End of this Seſſion.

'The great World, ſays he, contains theſe ſeveral Diviſions, the Divine World, the Celeſtial and the Terreſtrial Worlds. By the Similitude of which, Man is ſaid to be a *Microcoſm*, that is, a little World, and hath alſo three Parts, *viz.* a Head, a Breaſt, and inferior Members. And, in Likeneſs of theſe, he aſſerted that the whole *Engliſh* Government was conſtituted; in which the King was the Head, the Peers the Body, and the Commons the reſt of the Machine. In all which, as there ought to be a ſtrict Concord betwixt the Head and the other Parts of a human Body, ſo ſhould there be the ſame Uniformity between the King, the Peers, and the People. The King, adds he, is by Name acknowledged to be the Head of all; and ſuch a Head as moſt happily directs and governs the whole *Engliſh* Conſtitution, by graciouſly giving up much of his own Right for the Sake of the inferior Members. Inſtances of which are, the preſent Act of Grace and

'Par-

'Pardon; the Statute for freely deviſing two Thirds of each Man's Eſtate, *&c.* which all openly teſtified that both Court and Country muſt flouriſh and be happy under ſuch a Ruler; and for which they ought all there preſent to render him their moſt hearty Thanks.' K. *Henry* VIII.

At which Words every Man ſtood up and bowed themſelves to the Throne, and the King returned the Compliment by a gracious Nod from it. After this the Speaker went on, and ſaid, 'That the whole People of *England*, in order to ſhew ſome Gratitude to his Majeſty, to whom they thought themſelves ſo much obliged, that they could never pay him according to his Merit, had, leſt they ſhould ſeem unmindful of ſuch Benefits, joined in granting a Subſidy, by the Conſent of both Houſes, which they freely offered to him. And, laſtly, begged his Majeſty would condeſcend to give the Royal Aſſent to the reſt of the Bills made ready for that Purpoſe.'

Our Journaliſt is very prolix and circumſtantial in giving the complimenting Speeches and Ceremonies, which paſſed in the laſt Day of the Seſſion; which the Reader perhaps may have ſeen more than enough of in this Abridgement. We ſhall conclude with obſerving, That there were no leſs than ſeventy Acts paſſed at this Time, tho' the *Statute-Books* only mention fifty; but ſince all the moſt material Acts, or the Titles of them, are given before, they are no farther neceſſary here. When they had all paſſed the Royal Aſſent, (except one, relating to the Merchants Adventurers, which the King gave the uſual Anſwer to, *Le Roy s'aviſera*) the Lord-Chancellor, by his Majeſty's Command, diſſolved the Parliament.

To theſe Proceedings the Clerk hath added the Note following, which ſhews a very uncommon Unanimity in the Peers at that Time:

Hoc animadverſum eſt, quod in hac Seſſione, cum Proceres darent Suffragia et dicerent Sententias ſuper Actubus prædictis, ea erat Concordia et Sententiarum Con- The remarkable Unanimity of this Parliament.

K. *Henry* VIII. *Conformitas, ut ſinguli eis et eorum ſingulis aſſenſerunt Nemine diſcrepante*[y].

THOMAS DE SOULEMONT,
Clericus Parliamentorum.

Affairs being now again ſettled acccording to *Henry*'s Mind, both in his own Family and in Parliament, and he once more bleſſed with a young, and, what he hoped for, a fruitful Wife, had a fair Proſpect of ending his Days in Eaſe and Quietneſs: But a very little Time after preſented him with a new Scene of Trouble, more unexpected than any before it. A ſmall Rebellion happening in *Yorkſhire*, under the Conduct of Sir *John Nevile*, the King took Care to have it ſuppreſſed betimes; and the Leader of it was executed at *York*. This gave Occaſion for the Execution alſo of the old Counteſs of *Saliſbury*, who had then been a Priſoner two Years, in the Manner before recited. A Jealouſy that this Inſurrection was ſet on Foot by her own, or her Son Cardinal *Poole*'s, Inſtigation, occaſioned it. Not long after which, *Henry* reſolved to make a Progreſs in Perſon into *Yorkſhire*; not ſo much, ſays the Noble Hiſtorian, to extinguiſh the Relics of the laſt Commotion, as thoſe of Superſtition, Miracles, and Pilgrimages: For tho' the King continued his Rigour againſt thoſe that diſputed either his Authority or the ſix Articles, and ſacrificed many on that Score; inſomuch that (as both the Reformers, and thoſe that were Maintainers of the Pope's Supremacy, ſuffered equally) his Enemies ſaid, That, while he admitted neither Side, he ſeemed to be of no Religion at all: Yet, ſays Lord *Herbert*, this was but Calumny, for he ſtood firmly to his great Work of Reformation; as the above mentioned Deſign, in the Northern Progreſs, is a particular Inſtance.

A Rebellion in *Yorkſhire* ſuppreſſed.

Henry met with ſome Vexation in the Midſt of this Expedition. His Nephew *James*, King of *Scots*, had promiſed to meet him at *York*; but when every Thing

[y] This is a full Confirmation of what *Rapin* hath advanced in the foregoing Pages.

Thing was got ready there for the Royal Interview, K. *Henry* VIII.
James sent him Word he could not come. This Slight was highly resented; but he met with a much greater Trouble on his Return to *London*: For he was no sooner arrived, than he was credibly informed that his new Queen *Katherine*, who had been with him all his Progress, had been guilty of Incontinency before he married her. The Proof against this unhappy Lady was somewhat stronger than against any of his former Wives, as may be seen in Lord *Herbert*; who seems to suppress a good deal, in regard to the Noble Family from whence she sprung; but, notwithstanding this, *Henry* was somewhat puzzled how to get rid of her, and was obliged to have Recourse to his old Method of referring his Difficulties to a Parliament.

Q. *Katherine* accused of Incontinency.

Accordingly a new one was called to meet at *Westminster* on the 16th of *January*, in the 33d Year of his Reign [z]; where being all assembled, and the initial Ceremonies dispatched, *Thomas* Lord *Audley*, still Lord-Chancellor, opened the Cause of the Summons in a grave and eloquent Speech, say the *Journals*, but of so uncommon and immoderate a Length, that the Clerks, being busy on different Affairs, could not attend to take even the Heads of the whole Speech; which, they add, would take three Hours to write down, and one to read. What they could collect, under the Title of *Compendium Orationis*, is to this Effect:

Anno Regni 33. 1542.

At *Westminster*.

'In the first Place, the Chancellor declared in 'what Manner *David* began his Reign over the Peo- 'ple of God, the *Israelites*: He did not pray that Ho- 'nours and Riches might be heaped upon him; but 'only that his Understanding and Wisdom might be 'enlarged. *Give me Understanding, that I may search* 'thy

The Lord-Chancellor's Speech at opening the Session.

[z] The Summons to this Parliament, directed first to *Thomas*, Archbishop of *Canterbury*, in the usual Form, the rest of the Bishops, and to all the Peers, the Judges, some Sergeants at Law, the King's Attorney and Sollicitor-General, with the Master of the Rolls, all by Name, as also to the Sheriffs, Mayors, Bailiffs, &c. for electing the Commons, are extant in *Rymer*'s *Fœd. Ang.* Tom XIV. p. 737, &c.

K. *Henry* VIII. ‘ *thy Law*; as it is in the *Pſalms*. This Under-
‘ ſtanding he aſked for, that he might the better
‘ learn the Things equally neceſſary for both Prince
‘ and People. Such was the Caſe alſo in our So-
‘ vereign Lord the King; who, when his moſt Sa-
‘ cred Majeſty firſt came to the Crown, wiſhed for
‘ nothing more ardently, or fervently, than that
‘ God would beſtow on him Wiſdom and Under-
‘ ſtanding. The Almighty anointed him with
‘ the Oil of Sapience above his Fellows, above
‘ the reſt of the Kings in the Earth, and above all
‘ his Progenitors. This, he added, very plainly
‘ appears in three more ſhining Qualities than
‘ others: In the perfect Knowledge of the Word
‘ of God, the chiefeſt Glory in a King; in the exact
‘ Underſtanding of the Art Military, which is the
‘ ſecond Virtue in a Prince; and in politic Know-
‘ ledge, which holds the third Place, as bringing
‘ the greateſt Good to the Commonwealth. For
‘ the *Firſt*; he commended to them all to think,
‘ along with himſelf, how his Majeſty had over-
‘ thrown and vanquiſhed that *Roman Goliah*, with
‘ a Sling and a Stone. The Staff of the Sling, ſaid
‘ he, was the King; the Stone was the Word of
‘ God; and the Sling was made of Thread, twiſt-
‘ ed by Preachers; which Threads, or Arguments,
‘ were no longer, more ſure, or more ſubſtantial
‘ than they ought to be.

‘ To the *Second*, he deſired the Lords and Com-
‘ mons to call to Mind the King's great Victories,
‘ both in *France* and *Scotland*; which were made
‘ more glorious, in that they were gained, at one and
‘ the ſame Time, in different Kingdoms.

‘ To the *Third*, he again commended to them
‘ to reflect, along with himſelf, on the Peace which
‘ had now continued entire and inviolate for thirty
‘ Years together; when, in that Time, almoſt
‘ the whole univerſal World was diſtracted with
‘ fatal Wars, and Princes ſought to deſtroy each
‘ other by Fire and Sword.

‘ Next he laid before their Eyes what Caſtles on
‘ the Sea Coaſts had been new-built, what others
‘ repaired;

'repaired; which, for future Ages, would terrify our K. Henry VIII.
'Enemies, and defend the Kingdom from Invasions.

'*Lastly*, He desired them to consider that, a very 'few Years last past, many civil Dissentions had 'been composed without Bloodshed by the King's 'Conduct: And at length, that the *Irish* Nation, 'a People barbarous and savage, had been reduced 'to Obedience; insomuch that a Nation, hitherto untractable, now desired to submit to his Laws.

'These, and an innumerable Number of Benefits, conferred upon them by their most illustrious 'Prince, he desired them to remember. From 'whence it plainly appeared that he, like *David*, 'from the Beginning, had prayed to God for Understanding to expound the Laws; and also to 'pray so effectually, that no King, commemorated 'in History, could be compared to him.'

At which Words all the Peers, as well as the Commons, stood up and bowed to the Throne with that Reverence, as plainly shewed, says the *Journal*, with what willing Minds they owned his Empire over them, and what they owed to God, who had committed the Government of the Kingdom to the Care of such a Prince. Then the Chancellor turned his Discourse to inform the Assembly why they were called to meet at the present Time.

He told them, 'That his Majesty had summoned 'his Great Council, consisting of three distinct 'Bodies, the Clergy, Lords, and Commons, as the 'Representatives of the People: That these three 'Orders, or States, should meet as the whole Body 'of the *English* Commonwealth: That from thence 'they might learn each Man's particular Inclinations and Qualities; and if, by Chance, any Defect or Excess be found in the Government, by 'their common Advice and his Majesty's Authority, it might be amended, and the Law made more 'vigorous by taking away Superfluities.

'But, adds the Orator, there yet remains three 'principal Causes for calling this Assembly: The 'first concerned the Honour, Praise, and Glory of

'God,

K. *Henry* VIII. 'God, by an Unity in Faith and Concord in Religion; ſifting of different Opinions, if by Chance any new one had ſprung up, or there was yet any old one left to abrogate. And here he mentioned ſome particular Royal Laws, or Proclamations; as, for the true Preaching of the Goſpel; for Hoſpitality amongſt the Clergy; and forbidding Pluralities, *&c.*

'*Secondly*, What chiefly appertained to their own Government, *viz.* that it ought to be ſtrictly looked into, Whether the King's Laws were every where obeyed by the King's Subjects; and, if deſpiſed, why they were made: For many Laws, to the no ſmall Hurt of the Commonweal, remain perfectly unknown. This concerned the Oppreſſion of the Poor; the Power of Evil-doers, who would obſerve and keep ſome Laws, whilſt they violated others; yet ſo, as they themſelves would explain their Meaning. Alſo the great Number of Engroſſers; the Dearneſs of Victuals in a Time of ſuch Abundance; and againſt ſturdy Beggars.

'The third Cauſe for the Summons, he ſaid, was, That they might ſearch into and examine whether any new Vices had broke out in the Commonwealth, (ſince human Nature was a very ingenious Inventor of Evil) againſt which there were no Laws yet made: That if they came in Uſe, then new Laws ſhould be enacted; in the ſame Manner as, for new and unheard-of Diſeaſes, new Drugs and Medicines are ſought after and tried. He then gravely and ſolemnly told them, That, in the framing ſuch Laws, the Circumſtances of the Crimes and the Qualities of the Perſons ought chiefly to be conſidered: For Example, An Injury received from a Friend or a Familiar, is heavier than one from an open Enemy, or an unknown Perſon; and for this Reaſon the Crime of High Treaſon ought to be more heavily puniſhed.'

Here the *Journal* breaks off abruptly, juſt when the Orator was coming to the real Point, or Cauſe, for

for which this Parliament was called; and to which all the former Parade of Words was only introductory. Whether this was done by Negligence or Design, in the Clerks, is uncertain; perhaps the latter, that the Queen's Disgrace might not appear so openly on Record, in which the King's Honour, to which was then paid the highest Veneration, was but too much concerned. K. *Henry* VIII.

The Receivers and Triers of Petitions being named and appointed as usual, on the 20th Day of *January* the Commons presented to the King, in Parliament, *Thomas Moyle*, Esq; as their Speaker; whose Excuse for Disabilities, &c not being allowed, he made the usual Protestation for Liberty of Speech; and, after some high-flown Compliments paid to the King from this Quarter, he was confirmed. THO. MOYLE, Esq; Speaker.

The very next Day a Bill was brought into the House, and read a first Time, for the Attainder, on the Charge of High Treason, of *Katherine Howard*, late Queen of *England*, *Jane* Lady *Rochford*, with others. And in the same Bill was contained the Attainders, on Misprision of Treason, of *Agnes Howard* Duchess of *Norfolk*, *William Howard*, &c.

On the 28th of the same Month the Lord-Chancellor declared to the rest of the Peers, 'How much 'it concerned all their Honours not to proceed to 'give too hasty a Judgment on the Bill for the At'tainder of the Queen and others, which had yet 'been only once read amongst them: For that 'they were to remember that a Queen was no 'mean or private Person; but an illustrious and 'public one: Therefore her Cause was to be judg'ed with that Sincerity, that there should be neither 'Room for Suspicion of some latent Quarrel, or 'that she should not have Liberty to clear herself, 'if perchance, by Reason or Counsel, she was able 'to do it, from the Crime laid to her Charge. For 'this Purpose he thought it but reasonable that 'some principal Persons, as well of the Lords as 'Commons, should be deputed to go to the Queen, 'partly to tell her the Cause of their coming, and Proceedings on the Attainder of Queen *Katherine*, &c.

K. *Henry* VIII. 'partly in order to help her Womaniſh Fears, by 'adviſing and admoniſhing her to have Preſence of 'Mind enough to ſay any Thing to make her Cauſe 'better. He knew for certain, that it was but juſt 'that a Princeſs ſhould be judged by equal Laws 'with themſelves; and he could aſſure them that 'the clearing herſelf in this Manner would be 'highly acceptable to her moſt loving Huſband. 'But that ſome Anſwer ought to be had from her, 'and to report the Truth of it to his Majeſty, his 'Advice was, that they ſhould chuſe the Archbi-'ſhop of *Canterbury*; *Charles* Duke of *Suffolk*, 'Grand Maſter of the Houſhold; *William* Earl of '*Southampton*, Lord Privy-Seal; with the Biſhop 'of *Weſtminſter*, if the King's Council approved 'of this, Day after Day to repair to the Queen, 'to treat of this Matter according as their own 'Prudence might think it neceſſary.'

And in the mean Time the Sentence concerning the Bill againſt her Majeſty was ordered to be ſuſpended.

On the 30th Day of the ſame Month the Chancellor declared to the Lords openly, that the Privy Council, on mature Deliberation, diſliked the Meſſage that was to be ſent to the Queen; nevertheleſs, in the mean Time, they had thought of another Way, leſs faulty, to be put to the King, or rather to be all together demanded of him.

Firſt, 'That his Majeſty would condeſcend, ac-'cording to his uſual Wiſdom in Council, to weigh, 'by an equal Balance, the Mutability of all human 'Affairs; that Nature is weak and corrupt; none 'made free from Accidents, and that no Man 'can be happy in every Thing: That the whole 'State of the Kingdom depends on his Majeſty's 'Reſolution to divert his Mind from all Trouble 'and Sollicitude.

Next, 'That the Attainder of *Thomas Colepeper* 'and *Francis Dereham*, with the King's Aſſent, 'ſhould be confirmed by Authority of Parliament; 'alſo the Attainder, on Miſpriſion, againſt Lord '*William Howard*; and that the Parliament might 'have

'have Leave to proceed to give Judgment and to 'finish the Queen's Cause, that the Event of that 'Business may be no longer in Doubt. K. Henry VIII.

Thirdly, 'That when all these Things are com-'pleated in a just Parliamentary Method, without 'any Loss of Time, that then his Majesty would 'condescend to give his Royal Assent to them; 'not by being present and speaking openly, as the 'Custom hath been in other Parliaments, but ab-'sent, by his Letters Patent, under the Great-'Seal of *England*, and signed by his own Hand, 'that the Remembrance of this late and sorrowful 'Story and wicked Facts, if repeated before him, 'may not renew his Grief and endanger his Ma-'jesty's Health.

Lastly, 'They were to beseech his Majesty, 'that if by Chance, by speaking freely on the 'Queen, they should offend against the Statutes 'then in being, out of his great Clemency he would 'pardon all and every of them for it. And to pro-'pound all these Matters to his Majesty, the Arch-'bishop of *Canterbury*, *Charles* Duke of *Suffolk*, 'with the Earl of *Southampton*, were deputed for 'that Purpose.

The next Day, being the last of *January*, the Lord Chancellor declared to the House, 'That 'their Message and Request, of Yesterday, had 'been delivered to his Majesty by the Lords Com-'missioners; and that the King had denied no Part 'of their Petition; but had orderly granted every 'Part of it: That, out of his princely Clemency, 'and unheard-of Humanity, he had returned them 'Thanks for their loving Admonition in regard to 'his Health; which, he said, he took Care of, 'not so much for the Sake of his own Body, as 'that of the whole Republic. Nay, his Majesty 'declared further to them than they durst ask of 'him, as in the Case of desiring Liberty of Speech, '*&c.* for he told them he granted yet more, in 'giving Leave for each Man to speak his Mind 'freely, and not incur the Penalty which the 'Laws had fixed on those who took the Liberty to

K. *Henry* VIII. 'talk on the Incontinency of Queens; especially 'when the said Person did not do it out of Malice 'or Ill-will, but out of Zeal for his Service.

After this the Chancellor declared to the Lords, 'That as soon as the Lords Commissioners were 'dismissed from his Majesty, a Deputation of some 'principal Members from the House of Commons 'were admitted to his Presence: But what was 'done or said by them the Chancellor did not well 'know; only he supposed that they came to de-'liver much the same Message, or Petition, with 'their Lordships. Adding, that, when the Com-'mons were dismissed, he commanded that both 'the Lords and Commons should again be brought 'before him together. At which Time his Majesty 'gravely admonished them, that they should take 'great Care in the framing of good Laws, and the 'due Observation of them: That no Man should 'think he was doing his own Business, singly, in 'Parliament, or that he was called thither for the 'Sake of his own Advantage; but to do the Work 'tending to the Good of the Public: And that 'every single Peer should reflect how much he 'owes to the absent Multitude. For which Rea-'son it behoved both Peers and Commoners to be 'unanimous; to have frequent Meetings, and talk 'together of the present Business, of the propoted 'Statutes, or Bills as they are called, which are 'before them; for his Majesty has heard, and 'with Sorrow too, that the present Practice of the 'Members of these Houses is quite the reverse; Bills 'being rejected as disadvantageous to the Common-'wealth, only because they could not be under-'stood by the Opposers; nor would those that 'introduced them take the Trouble to make them 'more intelligible, by explaining their proper 'Sense: So that many good Bills have lost the 'Force of Law, while each Party is too obstinate 'to acquaint the other with their Meaning.'

February 11. The Lord Chancellor produced two Statutes, which had passed both Lords and Commons; one concerning the Attainder of the

the Queen; and the other about the Method of proceeding againſt Lunatics, who, before their Inſanity, had confeſſed themſelves guilty of High Treaſon[a]; each Statute ſigned with the King's own Hand, and together with his Majeſty's Aſſent to them, under the Broad Seal, and ſigned alſo, which was annexed to the ſaid Statutes. This the Chancellor held forth in both Hands, that both Lords and Commons, who were called for that Purpoſe, might apparently ſee it, and that the Statutes might from thence have the full Force and Authority of a Law. Which, when done, the Duke of *Suffolk*, Grand Maſter of the King's Houſhold, delivered himſelf, in a very ſerious Diſcourſe, to this Effect: K. *Henry*, VIII.

He told the Houſes, 'That he and his Fellow-'Deputies, appointed to wait upon the Queen, 'had been with her; and that ſhe had openly con-'feſſed and acknowledged to them the great Crime 'ſhe had been guilty of againſt the moſt high God, 'and a kind Prince; and, laſtly, againſt the whole '*Engliſh* Nation: That ſhe begg'd them all to im-'plore his Majeſty not to impute her Crime alone 'to her whole Kindred and Family; but that his 'Majeſty, howſoever unworthy ſhe might be and 'undeſerving, would yet extend his unbounded 'Mercy and his ſingular Beneficence to all her 'Brothers, that they might not ſuffer for her 'Faults. Laſtly, To beſeech his Majeſty that it 'would pleaſe him to beſtow ſome of her Cloaths 'on thoſe Maid-Servants who had been with her 'from the Time of her Marriage; ſince ſhe had 'now nothing elſe left to recompenſe them as they 'deſerved.'

The Earl of *Southampton*, Lord Privy-Seal, next ſtood up in the Houſe, and, in near the ſame Words, confirmed what the Duke had ſaid. Adding, ———

Here the *Journal-Book* breaks off very abruptly

[a] We cannot aſſign, from Hiſtory, any Reaſon for this Bill's paſſing at this Time; and do only gueſs that ſome of the Perſons concerned with the Queen were either really run mad or feigned themſelves ſo.

K. *Henry* VIII. again; and we are only told that the Chancellor prorogued the Parliament from that Day, being *Saturday*, to the *Tuesday* following.

This laſt *Hiatus in Manuſcripto*, along with the former, makes it ſeem evident that they were not done by Neglect of the Clerks, but by Deſign: and was a Trick of State to prevent Poſterity from being acquainted with ſome Matters, not conſiſtent with the Reſpect they then paid to their Grand Monarch. It is not impoſſible that this farther Declaration might be the ſame which Biſhop *Burnet* ſays the Queen made to her Confeſſor, Dr. *White*, afterwards Biſhop of *Winchester*; 'In confeſſing the Miſcarriages of her former Life, before 'the King married her; but ſtood abſolutely to 'the Denial of any Thing afterward; and that ſhe 'took God to Witneſs and all his Angels, upon the 'Salvation of her own Soul, that ſhe was guiltleſs 'of that Act of defiling her Huſband's Bed, for 'which ſhe was condemned. Yet, adds the Author, the Lasciviouſneſs of her former Life made 'People incline to believe any ill Thing that could 'be reported of her [b].' The Parliament was prorogued from *Saturday*, *February* 11, to *Tueſday* the 14th of the ſame Month; and on the 13th (Biſhop *Burnet* ſays the 12th, which could not be, for it was *Sunday*) the poor Queen and Lady *Rochford* loſt their Heads on *Tower-Hill*.

The Queen and Lady *Rochford* beheaded.

Some more Clauſes were inſerted in this Act of Attainder of the Queen, *&c.* proper to be taken Notice of. In the firſt Place, ſhe was accuſed by it for taking *Dereham* into her Service, and another Woman into her Chamber who had known her former ill Life, by which it appeared what ſhe intended to do; and then permitting *Colepeper* to be alone with her in a vile Place ſo many Hours in the Night: Therefore it was enacted, That ſhe and they, with the Bawd, the Lady *Rochford*, ſhould be attainted of Treaſon; and that the Queen and the Lady *Rochford* ſhould ſuffer the Pains of Death.

That

[b] *Burnet's Hiſtory of the Reformation*, Vol. I. p. 313.

That the Dutchess Dowager of *Norfolk*, the Countess of *Bridgewater*, her Daughter, the Lord *William Howard* and his Lady, with other four Men and five Women, already arraigned by the Course of common Law, that knew the Queen's vicious Life, and had concealed it, should be attainted of Misprision of Treason. K. *Henry* VIII.

It was also enacted, That whosoever knew any Thing of the Queen's Incontinence, for the Time being, should reveal it with all possible Speed, under the Pains of Treason. That if the King or his Successors should intend to marry any Woman, whom they took to be a pure and clean Maid, if she, not being so, did not declare the same to the King, it should be High Treason; and all who knew it and did not reveal it, were guilty of Misprision of Treason: And if the Queen, or the Wife to the Prince, should procure any Man, by Messages or Words, to know her carnally, or any other should be Sollicitors for her in this Affair, they, their Counsellors, and Abettors, should be adjudged as Traitors.

Bishop *Burnet* makes some Reflections on these two last Clauses in the Act; he writes, 'That it 'was thought extreme cruel to be so severe to the 'Queen's Kindred, for not discovering her former 'ill Life; since the making such Discovery had 'been inconsistent with the Rules of Justice or 'Decency. The old Dutchess of *Norfolk*, her 'Grandmother, had bred her up from a Child; 'and for her to go and tell the King that she was 'a Whore, when he intended to marry her, was 'a Thing unheard of; and the not doing it could 'not have drawn so severe a Punishment from any 'but a Prince of that King's Temper. But the 'King pardoned her and several of the rest, tho' 'some continued in Prison when the rest were dis-'charged.

'For the other Part of the Act, obliging a 'Woman to reveal her own former Incontinence, 'if the King intended to marry her, it was thought 'a Piece of grievous Tyranny: Since if a King,

'espe-

K. *Henry* VIII. ‘ especially one of so imperious a Temper as this ‘ was, should design such an Honour to any of his ‘ Subjects who had failed in their former Life, ‘ they must either defame themselves, by publish- ‘ ing so disgraceful a Secret, or run the Hazard of ‘ being afterwards attainted of Treason. Upon ‘ this, those that took an indiscreet Liberty to rally ‘ that Sex, unjustly and severely said, That tho ‘ King could induce none that was reputed a Maid ‘ to marry him: So that not so much Choice as ‘ Necessity put him on marrying a Widow about ‘ two Years after this ‘.

Acts passed. The *Journal* gives the Titles of forty-four private and public Acts passed in this Session of Parliament; the *Statute-Books* only thirty-nine. What are the most remarkable amongst these Acts, Lord *Herbert* hath extracted as follows:

‘ That they who, under Colour of a false Token ‘ or counterfeit Letter, got other Men's Money into ‘ their Hands, should be punished at the Discretion ‘ of those before whom they were convicted, any ‘ Way but Death.

‘ It was declared also how many Ston'd Horses ‘ every Man should keep according to his Degree. ‘ But this was afterwards repealed; though yet of ‘ special Use in Defence of the Kingdom, when ‘ due Regard of the Persons were had.

‘ Further it was declared who might also shoot ‘ in Guns and Cross Bows.

‘ Moreover, that shooting with Bows and Ar- ‘ rows should be used, and unlawful Games de- ‘ barred.

‘ The Order also for Punishment of Murder and ‘ Bloodshed in the King's Court, with all the ‘ Ceremonies thereof, was set down; the Occasion, ‘ it seems, being given by Sir *Edmond Knevet*, who, ‘ being lately condemned to lose his Hand for this ‘ Fault, was yet pardoned.

‘ The Authority of the Officers of the Court of ‘ Wards and Liveries was set down.

‘ That

‘ *Burnet's History of the Reformation*, Vol. I. p. 314. This Act was repealed, 1 *Ed.* VI. cap. xii. 1 *Mariæ* I.

'That in certain Cases there should be Trial of Treason in any County where the King by Commission will appoint; and this saved much Trouble and Charges: For as divers Things were made Treason in this King's Time, which yet were repealed afterwards, so the Lords of the Council were not only continually vexed with these Businesses, but the King at great Charges in remanding the Prisoners.' K. *Henry* VIII.

'That none should be Justice of Assize in his own Country.

'The Court of Surveyors of the King's Lands, the Names of the Officers there, and their Authority, were set down.

'All Practice of Conjuration, Witchcraft, and false Prophesy, was made Felony.'

On the first Day of *April* the King came to the House of Lords, when we are only told by the *Journal*, that the Parliament was prorogued from that Day to the third of *November* following. We shall only mention one Thing more, which happened during this Session, related by the Noble Historian, as a Wrong done to the antient Privilege of Parliaments.

'It seems that a Member of the House of Commons was arrested, in an Action of Debt, whilst the House was sitting. The King was no sooner informed of this, than he not only permitted the Commons to release him, but he punished the Offenders. The two Sheriffs of *London* were committed Prisoners to the *Tower*; one of the Bailiffs to a Place called *Little-Ease*, and the rest to *Newgate*. By which Means, adds he, the King, whose Master-piece it was to make Use of his Parliaments, not only let Foreign Princes see the good Intelligence between him and his Subjects, but kept them all at his Devotion.' Remarkable Proceedings on the arresting a Member of the House of Commons.

This is all the Noble Historian says of this Matter; but one of our antient Chronicles[d] is much more circumstantial about it: Because, says this Author,

as

[d] *Hollingshead*, p. 955, 956.

K. *Henry* VIII. as the Case hath been diversly reported, and is commonly alledged as a Precedent for the Privilege of Parliament, he had endeavoured to learn the Truth thereof, and to set forth all the Circumstances at large from those who, by their Instructions, ought best to know and remember it.

This Author tells us, That the Member's Name was *George Ferrers*, Esq; a Servant of the King's, and elected a Burgess for the Town of *Plymouth*, in *Devonshire:* That one Day as he was going to the Parliament-House he was arrested, by a Process out of the King's Bench, at the Suit of one *White*, for the Sum of two hundred Marks, for which he stood engaged, as a Surety, for one *Weldon*, of *Salisbury*, and carried to the *Counter* in *Broadstreet*. Sir *Thomas Moyle*, Knt. the Speaker, being inform'd of this, acquainted the House with it, who forthwith ordered the Serjeant at Arms to repair to the said Prison and demand the Prisoner.

'The Serjeant went immediately to the *Counter*, but the Clerks and Officers there were so far from delivering the Prisoner, that they forcibly resisted him; broke the Serjeant's Mace, and knocked down his Servant. During this Squabble the two Sheriffs of *London*, *Rowland Hill* and *Henry Suchcliff*, came thither, to whom the Serjeant complained of this Abuse, and of them required the Delivery of the imprisoned Member; but they not only denied to deliver him, but treated the Serjeant very contemptuously; and he was forced to return without him to the House.

Finding the Members still sitting, the Serjeant declared to the Speaker all the Circumstances of his ill Usage; upon hearing of which the whole House, among whom were several of the King's Privy Council and Chamber, would sit no longer without their Brother Member; but rose up and went in a Body to the House of Lords, where their Speaker informed the Chancellor what a great Indignity was put upon them. The Lords and Judges there assembled, took the Contempt to be of a very high Nature, and referred the Punishment of it to an Order

Order of their own Houſe. The Commons returning, after ſome Debate on the Caſe, ſoon came to a Reſolution to ſend their Serjeant to the Sheriffs' Houſe, and require the Delivery of the Priſoner without any other Warrant: For tho' the Lord-Chancellor had offered his Writ to them, they refuſed it; as judging that their Commands were to be executed by their own Serjeant, with his Mace, without any other Authority. K. *Henry* VIII.

But before the Serjeant at Arms came with this ſecond Meſſage, the Sheriffs had been told how heinouſly the Matter was taken; and therefore they now delivered the Priſoner to him without any Heſitation. But the Serjeant's Orders went further; he charged the Sheriffs to appear perſonally before the Houſe at Eight o'Clock the next Morning, and bring with them the Clerks of the *Counter*, and ſuch other Officers as were concerned in the Affray.

The next Day the Sheriffs, *&c.* appeared at the Bar of the Houſe; when the Speaker charged them with the Contempt and Miſdemeanour, and commanded them to anſwer immediately, without allowing them any Counſel; tho' Sir *Roger Cholmley*, Recorder of *London*, and others of the City Counſel, offered to ſpeak in the Cauſe. In the End, the Sheriffs, and *White* the Proſecutor, were committed to the *Tower*, and the reſt to *Newgate*, as aforeſaid. There they remained two Days; and then, on their own Petition, and at the humble Requeſt of the Lord Mayor of *London*, and other Friends, they were diſcharged.

But there ſtill remained another Difficulty to ſettle: The ſaid *Ferrers* being condemned in the Debt, and lying in Execution for it, but releaſed by the Privilege of Parliament, could not, by Law, be again put under Execution for the ſame Debt; and ſo the Party was left without Remedy for his Debt, as well againſt him as his principal Debtor. This knotty Point in Law was debated in the Houſe for nine or ten Days together. At laſt it was reſolved to make a particular Act to revive the Execution of the ſaid Debt againſt *Weldon*, the Principal,

K. *Henry* VIII. cipal, and to discharge *Ferrers* of it. This occasioned a Division in the House, and it was only carried for *Ferrers* by 14 Voices.

The same Authority informs us, That the King, being advertised of these Proceedings, called before him the Lord-Chancellor and his Judges, with the Speaker of the House of Commons, and several of the chief Members of that House, to whom he declared his Opinion to this Effect:

The King's Speech on that Occasion.

'He first commended their Wisdoms in maintaining the Privileges of their House, which he 'would not have infringed in any Point. He 'alledged that he, being the Head of the Parliament, 'and attending in his own Person on the Business 'thereof, ought, in Reason, to have Privilege for 'himself, and all his Servants in Attendance on 'him. So that if *Ferrers* had been no Burgess, but 'only his Servant, in respect of that he ought to 'have Privilege as well as any other: For I under-'stand, says he, that you enjoy the same Privilege 'not only for yourselves, but even for your Cooks 'and Horse-Keepers. My Lord-Chancellor, here 'present, hath informed me that, when he was 'Speaker of the Lower House, the Cook of the '*Temple* was arrested in *London*, on an Execution 'upon the Statute of *Staple*; and because the 'said Cook served the Speaker in that Office, he 'was taken out of Execution by the Privilege of 'Parliament. Likewise the Judges have informed 'us that we at no Time stand so high in our Estate 'Royal as in the Time of Parliament, when we, 'as Head, and you as Members, are conjoined 'and knit together into one Body Politic; so that 'whatsoever Injury is done or offered during that 'Time against the meanest Member of the House, 'is judged as done against our own Person and 'whole Court of Parliament. The Prerogative of 'which Court is so great, that, as our Learned in 'the Laws inform us, all Acts and Processes, co-'ming out of any other inferior Courts, must, for 'that Time, cease and give Place to the Highest.

'And

'And as touching the Plaintiff in this Cauſe; K. *Henry* VIII.
'it was a great Preſumption in him, knowing our
'Servant to be one of this Houſe, and being warned
'of it before, ſtill to proſecute this Matter out of
'Time; and therefore was well worthy to loſe
'his Debt, which I do not wiſh; and muſt com-
'mend your Equity that, having loſt it by Law,
'you have reſtored the ſame againſt him that was
'his Debtor. And if it be well conſidered what
'an Expence it hath been to ourſelf and you all,
'as well as Loſs of Time, which ſhould have been
'employed in Affairs of our Realm, to ſit here
'near a Fortnight about this one private Caſe,
'he may think himſelf better uſed than his Deſert.
'This I hope will be a good Example to others
'to learn better Manners, and not to attempt any
'Thing againſt the Privilege of this High Court
'of Parliament; but to ſtay for a proper Opportu-
'nity. This is my Opinion, and, if I err, I muſt
'refer myſelf to the Judgment of our Lord Juſtices
'here preſent, and the other Learned of the Laws.'

Upon which Sir *Edward Montacute*, Lord Chief Juſtice, very gravely gave his Opinion, confirming, by divers Reaſons, all that the King had ſaid; which was aſſented to by all the reſt, no one ſpeaking to the contrary.

In the Interval of Time, aſſigned by the laſt Prorogation, the Face of Affairs changed greatly in *England*; and the profound long Peace, which the Nation had for many Years enjoyed, gave Way to War and Bloodſhed. It firſt broke out againſt *Scotland*; the Grounds and Reaſons of which may be ſeen in *Hall* and our larger Hiſtorians. *Henry* carried his Reſentment ſo high againſt his Nephew *James*, as, amongſt other Demands, to revive the Claim of Homage and Fealty, as due to him out of an antient Title to that Crown.

A War with *Scotland* and *France*.

War was proclaimed againſt *Scotland* in the Month of *October*, 1542; and when the Parliament met on the 3d of *November*, according to Prorogation, they were again adjourned to the 22d Day of

K. *Henry* VIII. of *January* following. In this ſhort Interval a War with *France* was alſo reſolved on; and, in order to raiſe Money to ſupport the Expence of both, the Parliament was ſummoned to meet, at the Time appointed, in order to ſit to do Buſineſs.

Anno Regni 34. 1543. At *Weſtminſter.* In the *Journals* is no Opening of this ſecond Seſſion by the Lord Chancellor's Declaration, as uſual. And though the Houſes continued ſitting from the Time aforeſaid, to the 12th Day of *May*, yet there are no particular Speeches, or Declarations, made by any of the Great Officers of the Crown, to be found in thoſe Records. On which laſt mentioned Day the King came to the Houſe of Lords, and again prorogued this Parliament to the 3d Day of *November* following.

But tho' there are no Speeches in the *Journals*, yet the Detail, or Catalogue of all the Statutes made in this Seſſion, to the Number of forty-nine, (tho' there are but twenty-ſix given in the *Statute-Books*) ſhew that a good deal of Buſineſs was done in it.

Acts paſſed. The principal Act that paſſed both Houſes had the Grant of another Subſidy from the Laity included in it. It was ordered to be paid to the King, in three Years, after this Manner:

A Subſidy, and the Manner of collecting it. 'They who were in Goods worth twenty Shillings and upwards to five Pounds, paid Fourpence of every Pound; from five Pounds to ten Pounds, Eightpence; from ten to twenty Pounds, Sixteenpence; from twenty and upwards, two Shillings. All Strangers, as well Denizens as others inhabiting here, double the Sum; Strangers not Inhabitants, that were ſixteen Years old and upwards, paid Fourpence for every Head or Pole. As for Lands, Fees, and Annuities, every Native paid Eightpence in the Pound from twenty Shillings to five Pounds; from five Pounds to ten Pounds, Sixteenpence; from ten Pounds to twenty Pounds, two Shillings; from twenty Pounds and upwards, three Shillings; Strangers ſtill, after all theſe Rates, doubling the Sum. As for the Clergy, they granted a Subſidy of ſix Shillings in the Pound, to be paid off their Benefices in Perpetuity in three Years

Years following; and every Prieſt having no Per- K. *Henry* VIII.
petuity, but an annual Stipend, paid yearly, during the ſaid three Years, ſix Shillings and Eightpence. Beſides which, by Occaſion of a Dearth of Victuals, a Sumptuary Law was made, whereby the Mayor and Sheriffs of *London*, as alſo the Serjeants and Yeomen of their Houſes, were limited to a certain Number of Diſhes: They were alſo forbidden to buy certain Kinds of Fowl. Nevertheleſs, in regard of the great Confluence of People in this Parliament-Time, and the Scarcity of Fiſh, the King, by Proclamation, diſpenſed with eating of White-Meats in Lent; forbidding yet the eating of Fleſh ſo ſtrictly, that *Henry* Earl of *Surrey*, with divers Lords, Knights, and Gentlemen, were impriſoned for offending herein.'

The Preamble to the above Grant ſets forth 'the 'Expence the King had been at in his War with '*Scotland*, and for his other great and urgent Occa- 'ſions;' by which was meant the War with *France*, which broke out in earneſt the next Summer. A Subſidy.

Cranmer, and the other Reformers, took this Opportunity to puſh on the great Affair of Reformation; and tho' it was much oppoſed in Parliament, yet *Burnet* informs us that his Reſolution carried it thro', tho' not in ſo clear a Method as he propoſed it; for the Bill was clogged with many Proviſoes, which rendered it very much ſhort of what he deſigned.

The Title of this Bill is, *An Act for the Advance- ment of true Religion, and Aboliſhment of the contrary.* The Preamble ſets forth, 'That many ſeditious and 'ignorant People had abuſed the Liberty granted 'them for reading the Bible; and great Diverſity 'of Opinions, Animoſities, Tumults, and Schiſms, 'have been occaſion'd by perverting the Senſe of the 'Scripture: To retrieve the Miſchiefs ariſing from 'thence, it is enacted, That a certain Form of or- 'thodox Doctrine, conſonant to the inſpired Wri- 'tings, and the Doctrine of the Catholic and Apo- 'ſtolic Church, ſhall be ſet forth as a Standard of 'Belief: That *Tindal*'s falſe Tranſlation of the Old 'and New Teſtament, and all other Books touch- Act for Reformation of Religion.

'ing

K. *Henry* VIII. ‘ing Religion in the *Engliſh* Tongue, contrary to ‘the Articles of Faith, or that Summary of Doc‘trine publiſhed by the King in 1540, or any Time ‘after during his Majeſty's Reign, ſhall be ſup‘preſs'd and forbidden to be read in the King's ‘Dominions.

‘All Printers and Bookſellers are prohibited print‘ing or vending any of the ſaid Books. The ex‘poſing the Doctrine of the Religion eſtabliſhed, in ‘Plays and Ballads, is likewiſe prohibited under deep ‘Forfeitures and Impriſonment. All Books like‘wiſe impugning the Holy Sacrament of the Altar, ‘or maintaining the damnable Opinions of the ‘Anabaptiſts, are prohibited under Forfeitures and ‘Fines. The reading the Bible is likewiſe prohi‘bited to all under the Degrees of Gentlemen and ‘Gentlewomen.’ After this follows a Proviſo of ſome Liberty, ‘That it ſhall be lawful for all Per‘ſons whatſoever to read or teach all ſuch Doctrine ‘as is or ſhall be ſet forth by his Majeſty ſince the ‘Year of our Lord 1540; and alſo the Pſalter, ‘Primer, Pater-Noſter, Ave, and Creed, in *Eng‘liſh*. And if any Spiritual Perſon ſhall preach ‘or maintain any Thing contrary to the Doctrines ‘above-mentioned, he ſhall recant for his firſt Of‘fence, abjure for his ſecond, and bear a Faggot; ‘and for a farther Relapſe ſhall be adjudged an He‘retic, ſuffer the Pains of Burning, and forfeit all ‘his Goods and Chattels [b].’

There are two favourable Proviſoes upon this Act; *firſt* ‘The Chancellor of *England*, Generals ‘and Officers in the Field, the King's Juſtices, the ‘Recorders of a City or Town, the Speaker of ‘the Parliament, and all other Officers, Juſtices, ‘and Miniſters, which have been accuſtomed to de‘clare any good or virtuous Exhortations in any ‘Aſſemblies, may uſe any Part of the Bible as they ‘have formerly [c], with this Limitation, that they ‘did

[b] *Statutes at large*, 34 *Henry* VIII. cap. i.

[c] To underſtand the Meaning of this Proviſo, we are to obſerve that it was uſual for the Lord-Chancellors, Judges, Recorders, *&c.* to take a Text for their Speeches upon public Occaſions.—Of this there are numberleſs Inſtances in the foregoing Sheets.

'did not raise any Discourse contrary to the Doc- K. Henry VIII.
'trine set forth, or to be set forth, by his Highness.'

By another Proviso it is enacted, That the King might alter or set aside the Act, or any Part of it.

Bishop *Burnet* takes Notice of another Act passed this Parliament, which made Way for the Dissolution of Colleges, Hospitals, and other Foundations of that Nature. 'The Courtiers, as he continues, had been practising with the Presidents and Governors of some of these Houses to resign them to the King: The Resignations were penned in the same Stile with the Surrenders of Monasteries: Eight of these Instruments were procured and inrolled: But the Progress of this Design was check'd by the local Statutes of most of these Foundations. For by these Provisions no President, or any other Fellows, could make any such Deed of Alienation without the Consent of the whole Society: But such an unanimous Concurrence was not easily gained. All such Statutes were now nulled, and none for the future to be sworn to them [d].'

We shall not trouble our Readers with the good or ill Effects of the *French* or *Scots* War, so amply treated on by our more general Historians. How far the Parliament was concerned in any Thing relative thereto, is sufficient for our Design [e].

In the Year 1543 *Henry* thought fit to take another Wife; but being debarred, as it were, by the late Act from marrying a Virgin, (for no Lady was willing to run the Hazard of being thought otherways) he found himself obliged to marry the Lady *Katherine Parr*, Widow to the Lord *Latimer*, who was esteemed a Lady of great Worth, and, being not over young, was a fit Match for his Bed. Soon

Henry marries the Lord *Latimer*'s Widow.

[d] *History of the Reformation*, Vol. I. p. 314.

[e] In *December*, 1543, died *James* King of *Scotland*, King *Henry*'s Nephew, and left an only Daughter, called *Mary*, afterwards Queen of *Scots*. Great Pains were taken by *Henry* to bring about a Match between this young Princess, and his Son Prince *Edward*, then about five Years old, in order to unite the two Kingdoms for ever: But tho' the Parliament of *Scotland* agreed to the Match, yet it proved abortive in the End, the *French* Politics at that Time overweighing the *English*. *Speed*, 782.—There are some Forms of the Negotiation relating to this Match preserved in *Rymer*'s *Fœd. Ang.* Tom. XIV. *sub hoc Anno*.

K. *Henry* VIII. after *William* Lord *Parr*, her Brother, was made Earl of *Eſſex*, and others of her Relations preferred. In ſhort, ſays Lord *Herbert*, the King lived apparently well with her for the moſt Part; but, adds he, all this ſeemed nothing to him, unleſs he parted always in good Terms with his Parliaments; for he accounted a Parliament his moſt loyal Spouſe; and not without Reaſon, for he never deſired any Thing of them which they did not perform. Some more Inſtances of which we meet with in the next Anno Regni 35. 1544. Seſſion, which began, according to the *Journals*, *January* 14, without any Mention made of an Adjournment from the 3d of *November* laſt to that Time.

At *Weſtminſter.*

We meet with nothing remarkable in the Beginning or Progreſs of this Seſſion, but the Bill brought into the Houſe of Lords for altering the King's Stile or Title. *Henry* had thought fit, ſome Time before this, to aſſume to himſelf the Title of *King of Ireland*, and had prevailed upon the Parliament there to recognize him as ſuch; and now being laid before the Houſe of Lords in *England*, they alſo paſſed it, and ſent it down to the Houſe of Commons: But, on the 4th of *February*, a Committee was ſent from the Lower Houſe to deſire a Conference with the Lords about it. The Names of theſe Commiſſioners were, Sir *Richard Rich*, Chancellor of the Court of Augmentations; Sir *John Baker*, Chancellor of the Exchequer, and Sir *Robert Southwell*, Keeper of the Rolls. The Lords readily agreed to this, and appointed twelve of their Houſe, *viz.* the Archbiſhop of *Canterbury*, the Duke of *Norfolk*, the Lord *Ruſſel*, Lord Privy-Seal; the Earls of *Saliſbury*, *Eſſex*, and *Hertford*; Viſc. *Liſle*; the Biſhops of *Wincheſter* and *Weſtminſter*; the Lords St. *John* and *Wriotheſley*, who were to meet on the Morrow, at Eight o'Clock in the Morning, with a Committee of the ſame Number from the Commons, in the Parliament-Chamber, to conſult together about this Buſineſs [f].

And aſſumes the Title of *King of Ireland.*

We

[f] There are but eleven of the Lords named. The Copier of the *Journals* makes this Remark, That the Lord *Ruſſel* being Privy-Seal,

We are not told by the *Journal* what was done or said at this Conference; but that the next Day the Bill for altering the King's Stile was sent from the Commons; and the Clerk takes Notice that it must be a new Bill, probably agreed upon by the Commissioners, since it was read again, and passed in the House of Lords as such. It was ordained by this Act, That the King's Stile of *King of* England, France, *and* Ireland, *Defender of the Faith*; *and of the Church of* England, *and also of* Ireland, *in Earth, the* SUPREME HEAD, shall be united and annexed for ever unto the Imperial Crown of this Realm of *England*[g]. By this Act also it was declared where, and before whom, Treasons committed out of the Realm should be tried. K. *Henry* VIII.

On the 7th Day of *February*, another Act, of still more public Concern than the former, was brought into the House of Lords, and read a first Time. This was to settle the Succession to the Crown, after the Demise of the King; whereby the Princess *Mary*, Daughter to *Katherine* his first Queen, was declared legitimate, and put under a Possibility of succeeding to the Throne: And the whole Business was settled amongst his Children in such a Manner, as far as by our Laws a King is warranted, that all Cause of Competition was taken away by it. The Act passed both Houses on the 16th, without any Opposition, as we suppose; and, since Bishop *Burnet* hath abridged it, we think it worthy of a Place in these Inquiries.

The Act contains, 'That the King being now 'to pass the Seas, to make War upon his antient 'Enemy the *French* King, and being desirous to 'settle Act for settling the Succession to the Crown,

Seal, and the Lord *St. John*, Chamberlain of the Houshold, were this Day absent from the House; and yet they were appointed Commissioners for this Conference. *Quod notandum*, for, at this Day, *viz. Tempore Jacobi*, and in the Time of the late Queen *Elizabeth*, of famous Memory, by the Order and Custom of the House, none may be made a Commissioner in any Bill, who is not present at such a Nomination; except the Matter of the Bill do concern some Office, or special Occasion, wherein such absent Person is employed.

[g] *Rapin* and his Annotator are both guilty of a Mistake, in asserting. That the Title of *King of Ireland* was confirmed in the 33d Year of his Reign. *Vide Hist. of England*, Vol. I. p. 831. N°. 2.

K. *Henry* VIII. 'ſettle the Succeſſion to the Crown; it is enacted, 'That, in Default of Heirs of Prince *Edward*'s Body, or of Heirs by the King's preſent Marriage, 'the Crown ſhall go to the Lady *Mary*, the King's 'eldeſt Daughter: And, in Default of Heirs of her 'Body, or if ſhe do not obſerve ſuch Limitations 'or Conditions as ſhall be declared by the King's 'Letters Patent under his Great Seal, or by his 'Laſt Will, under his Hand, it ſhall next fall to the 'Lady *Elizabeth* and her Heirs; or if ſhe have 'none, or ſhall not keep the Conditions declared 'by the King, it ſhall fall to any other that ſhall be 'declared by the King's Letters Patent, or his Laſt 'Will ſigned with his Hand.' There was alſo an Oath deviſed, inſtead of thoſe formerly ſworn, both againſt the Pope's Supremacy, and for maintaining the Succeſſion in all Points according to this Act; 'which whoſoever refuſed to take was 'to be adjudged a Traitor; and whoſoever ſhould, 'either in Words or by Writing, ſay any Thing 'contrary to this Act, or to the Peril and Slander 'of the King's Heirs, limited in the Act, was to be 'adjudged a Traitor.' This was done, no doubt, upon a ſecret Article of the Treaty with the Emperor, and did put new Life into the Popiſh Party, all whoſe Hopes depended on the Lady *Mary*. But how much this leſſened the Prerogative, and the Right of Succeſſion, will be eaſily diſcerned, the King in this effecting an unuſual Extent of his own Power, tho' with the Diminution of the Rights of his Succeſſors.

March 29. When the whole Buſineſs of this Seſſion was expedited, the Lords, in their Parliament-Robes, and the whole Houſe of Commons, with their Speaker, all waiting the King's Coming to put an End to it; the Duke of *Norfolk*, Lord-Treaſurer, in the Abſence of the Lord-Chancellor, who was then on his Death-Bed, acquainted the Houſe, 'That 'the King was prevented from coming to them, by 'ſome urgent Buſineſs that required Diſpatch; but 'that his Majeſty, conſidering how long this Seſſion 'had

'lasted, and that none had absented from it, with 'the Expence that must attend such a Stay; like-'wise the great Labour and Pains they had taken 'in framing a Set of new Laws, which his Majesty 'had carefully perused: Therefore he had first 'commanded him to acquaint them, in his Maje-'sty's Name, that he sincerely thought them no 'less good Subjects to him, than useful ones to the 'Republic. That his Majesty had also command-'ed him to praise their studious and honest Inten-'tions, not doubting but that their Practice and 'his Love to them for it would ever continue. K. *Henry* VIII.

Lastly, the Duke said, 'He, an humble Subject, 'was commanded to tell them, in his Majesty's 'Name, that to all the Bills which they had got 'ready he would give his Royal Assent. Adding, 'that his Most Serene Highness had not done this 'only by his Mouth, but had also sent his Letters 'Patent to confirm it.' Other Acts passed by Commission.

After which follows a Copy, in *English*, of the Letters Patent, wherein is recited the Titles of all the Bills that were to be, by the Royal Assent, passed into Statutes; which being read by the Clerk of Parliament, the whole Assembly, says the *Journal*, burst out into loud Praises and Encomiums on their good King, who thought his Subjects worthy of such good Laws. Then the Duke of *Norfolk* proceeded to tell them, 'That now they were all sen-'sible in what good Part his Majesty had taken 'their Labours, by condescending to give his Royal 'Assent to all and singular their Bills, none but 'one, relating to the reserving of Tenures, except-'ed; which was then ordered to be cancelled.' The Duke, lastly, told them, 'That his Majesty 'thought this a fit, if not a necessary, Opportunity, 'that every one of them should return to their own 'Homes. The Wars now breaking out on every 'Side, and his Majesty intending this Summer, by 'God's Grace, to assert his just Right to his Pa-'trimony in *France*, their longer Stay might be a 'Hinderance to his Preparation; he had therefore 'granted his Letters Patent to commission certain

K. *Henry* VIII. 'Lords to diſſolve this Parliament; which, after 'reading of the ſaid Commiſſion, was diſſolved 'accordingly.'

Mr. *Collier* informs us, That, during this Seſſion, Sir *John Goſtwick*, Knight of the Shire for the County of *Bedford*, made a Speech in the Houſe againſt Archbiſhop *Cranmer*, charging him with encouraging novel Opinions, and that his Family was a Nurſery of Hereſy and Sedition. Biſhop *Gardiner* was ſuppoſed to be the chief Promoter in this Buſineſs. This Speech of *Goſtwick*'s being of the Nature of an Impeachment, ſeveral Lords of the Privy Council moved the King, that ſince *Cranmer* lay under an Imputation of ſo high a Nature, he might be diſmiſſed from the Board, and committed to the *Tower* till Inquiry was made into the Truth of what was commonly reported; for, they ſaid, the admitting the Archbiſhop to the Privy Council would diſcourage Informations. But the King, adds our Author, happening to penetrate into the the Matter, found that there was more Art than Truth in their Clamours againſt *Cranmer*, and therefore diſmiſſed the Buſineſs.

In the *Journals* are the Titles of twenty-five public and private Acts; in the *Statute-Books*, only eighteen. An Abſtract of the moſt material are given by Lord *Herbert*, as follows:

'That no Perſon ſhould be put to his Trial upon any Accuſation concerning any of the Offences comprized in the Statute of the ſix Articles, 31 *Henry* VIII. 14. but only upon ſuch as ſhall be made by the Oath of twelve Men before Commiſſioners authorized; and the Preſentment ſhall be made within one Year after the Offence committed: That no Perſon ſhall be arreſted, or committed to Ward, for any ſuch Offence before he be indicted: That if any Preacher or Reader ſhall ſpeak any Thing, in his Sermon or Reading, contrary to any Matter contained in the ſix Articles, he ſhall be accuſed or indicted thereof within forty Days, or elſe ſhall be diſcharged of the ſaid Offence: And this alſo qualified a little the Puniſhment of the ſix Articles.

'That

'That the Lords and Commons shall remit unto the King all such Sums of Money as he had borrowed of them since the first of *January*, *Anno* 33 of his Reign. K. *Henry* VIII.

'That certain Tenures shall be reserved, at the King's Pleasure, upon Houses and Lands, being sometimes Abbey-Lands, under Forty Shillings a Year.

'That all Persons who have any Houses, Lands, Gardens, and other Grounds in the Town of *Cambridge*, adjoining upon every High-Way, Street, or Lane, in his own Right, or the Right of his Wife, *&c.* shall cause the same to be paved, with paving Stone, unto the Middle of the same Ways, and in Length as their Grounds do extend; and so shall, from Time to Time, maintain them, upon Pain to forfeit Sixpence for every Yard square, not sufficiently paved, to the King and Informer: And, had this Statute extended to the other Cities and great Towns of *England*, it would have been much to the Beauty of them, and Commodity of Passengers.

'That the King shall have Authority, during his Life, to name thirty-two Persons, *viz.* sixteen Spiritual and sixteen Temporal, to examine all Canons, Constitutions, and Ordinances, Provincial and Synodal, and to establish all such Laws Ecclesiastical as shall be thought, by the King and them, convenient to be used in all Spiritual Courts. But this, it seems, expired with the King's Life [h].

'An Ordinance also (never sufficiently to be commended) was made for Preservation of Woods; which, being too long and particular to rehearse, I shall desire the Reader to peruse in his Place; there being no Law either more useful to this Kingdom, in regard of our Navy and otherwise, or whereof the Infraction can with more Difficulty be repaired; so many Years, if not Ages, being required before they can come to that Growth which any rash Hand may cut down in a very short Space.'

Levies

[h] It appears by the *Journals* that this Bill was read four Times in the House of Lords between the 19th and the 24th of *January*.

K. *Henry* VIII. Levies and Preparations were now made to carry on the War both againſt *France* and *Scotland*; and over the latter Kingdom *Henry*'s Army gained great Advantages by the taking and burning of *Edinburgh*, and other Towns in that Neighbourhood. Nor was he leſs ſollicitous about *France*, having tranſported an Army of 30,000 Men to *Calais*, and actually went over to conduct the War in Perſon.

Lord *Herbert*, and the larger *Engliſh* Hiſtorians, may be conſulted for a particular Account of theſe Wars. Whatever the Succeſs was, it may well ſeem not to be worth the Expence, when the King's Neceſſities drove him to very mean Ways to raiſe Money for carrying it on; for tho' he had much enriched himſelf with the Revenues of the ſuppreſſed Abbies, and, beſides, had great Subſidies and Loans from his Subjects, yet Fortifications, Shipping, and other Proviſions, had exhauſted his Treaſure. Add to this, he found out that his crafty Neighbours had well nigh drained his Kingdom of the current Money, whilſt they made great Advantage of it in their own. To remedy which Evil the King both enhanced our Gold from 45 *s.* to 48 *s.* an Ounce; and Silver from 3 *s.* 9 *d.* to 4 *s.* He likewiſe cauſed ſome new-coined baſe Money to be made current, though not without much murmuring. He had borrowed alſo divers Sums of Money of different People, giving them Privy-Seals for their Security. But all not ſupplying the vaſt Expence of the War, *Henry* ſet on Foot the old Practice of raiſing Money by a Benevolence; and, in the Year 1544, he appointed Commiſſioners to collect it, beginning at *London* with the Lord Mayor and Aldermen. It is remarkable that amongſt thoſe Magiſtrates there was one, called *Read*, that refuſed to pay his Share; on which he was ſeized, and ſent to ſerve in the War againſt the *Scots*; where, in the Battle at *Ancram*, the next Spring, he was ſlain. Many excuſed themſelves alſo by their Penury, in regard the King had taken up ſo much Corn from them this

Money raiſed by a Benevolence for carrying on the War.

this Year for his Use, and not as yet paying for it; so that, in Effect, this Benevolence raised not so much Money as *Henry* expected, and what was collected came with much Grudging [i]. K. *Henry* VIII.

All these Ways and Means not answering the intended Purpose, *Henry* had Recourse to his old Friends the Parliament, who, in the Course of his whole Reign never refused him any Thing he asked of them. Accordingly Writs were sent out for a Parliament to meet at *Westminster* on the 23d Day of *November*, in the 37th Year of his Reign. Anno Regni 37. 1546.

The Clerks have again neglected to insert the initiating Speeches and Ceremonies at the Opening of

[i] A Benevolence granted to the King by the Subjects, upon Commission to all the Counties, 36 *Henry* VIII. *Anno* 1544. Taken from *Strype*'s *Appendix of Records*, N°. CXIX. in his *Eccles. Mem.* Vol. I.

Counties.	*Benevolence.* *l.*	*s.*	*d.*
Cestr. cum Civit.	640	6	8
Bedford.	1100	0	0
Buck.	1261	18	8
Bristol.	365	11	4
Cant.	1788	14	10
Hunt.	650	13	8
Cornub.	643	2	0
Cumbre.	57	15	8
Devon.	4527	2	4
Essex.	5251	18	0
Hertford.	680	18	0
Glouceſt.	2528	19	4
Heref.	1155	12	8
Kant.	6471	8	0
Lanc.	680	2	2
Lincoln.	2176	15	8
Midd.	2386	9	0
Monmouth.	233	12	0
North.	2108	16	4
Nott.	432	2	4
Derb.	438	9	4
Norf.	4046	7	0
Suff.	4512	6	1
Oxon.	1241	14	0
Berch.	1407	2	10
Rutland.	136	0	0
Salop.	875	14	4
Staff.	464	4	2
Somerset.	6807	13	4
Dorset.	1418	3	4
Surr.	2453	15	2
Sussex.	2379	5	2
South.	1443	0	4
Warwic.	1641	16	4
Leic.	629	14	0
Wilts.	1769	5	8
Wigorn.	1573	13	0
Civit. Lond.			
Ebor.			
Northum.			
Westmor.			
Dunelm.			
WALLIA.			
Anglesey.	195	13	10
Brecon.	161	1	8
Cardigan.	186	1	4
Carmarthen.	218	12	4
Carnarvon.	136	13	0
Denbigh.	332	9	11
Flint.	163	19	0
Glamorgan.	316	13	0
Merioneth.	108	16	4
Mountgom.	114	11	8
Radnor.	77	13	4
Pembroke.	341	16	0
Haverford-West.	91	0	0
Sum Total	70,723	18	10

K. *Henry* VIII. of this Parliament, in the *Journal*; and we meet with nothing more than the Names of the Peers, and the Receivers and Triers of Petitions.

Nov. 27. A Bill was brought into the Houſe of Lords for the aboliſhing of Hereſies, and of ſome Books tainted with falſe Opinions. It was read a firſt Time, and committed to the Archbiſhop of *Canterbury*; the Lord *Pawlet*, Grand Maſter of the Houſhold; the Earls of *Hertford* and *Shrewſbury*; the Biſhops of *Ely*, *Sarum*, and *Worceſter*; the Lords *De la Ware*, *Morley*, and *Ferrers*, for Examination.

This was a good Beginning, but it ſerved only as introductory to worſe Matters; for, on the 14th of *December*, a Bill was brought up to the Houſe of Lords, from the Commons, by Sir *Thomas Cheney*, Treaſurer of the Houſhold, and others of the principal Members of that Houſe, for granting a Subſidy to his Majeſty: And the next Day another Bill was read a firſt Time for the Diſſolution of all Colleges, Chantries, Hoſpitals, Free Chapels, *&c.* Which two Bills paſſed both Houſes without any Oppoſition.

A Subſidy; and an Act for the Diſſolution of all Colleges, Hoſpitals, *&c.*

The Subſidy was 2 *s.* 8 *d.* in the Pound on Goods, and 4 *s.* in the Pound on Land, to be all paid within two Years. The Clergy alſo granted 6 *s.* in the Pound; which was afterwards confirmed, as the Cuſtom then begun, by the whole Parliament.

But the Bill for the Diſſolution of Colleges, *&c.* made much more Noiſe in the World; and, as Lord *Herbert* well obſerves, nothing could be pleaded in Excuſe for it but the King's Neceſſities, which every Man muſt think violent; when, adds he, they retrenched upon the reverend Foundations of Colleges, Free Chapels, Chantries, Hoſpitals, Fraternities, Brotherhoods, Guilds, and Stipendiary Prieſts, which had Continuance in Perpetuity; together with all their Manors, Lands, and Hereditaments, which were now committed to the King's

King's Disposal; and that they should be in the Order and Survey of the Court of Augmentations; the Right to others yet saved, and several Provisions yet made. The Motive for bringing in this Bill was alledged to be the King's great Charges in his Wars with *France* and *Scotland*; as also the Abuses of the Rulers and Governors of the said Colleges, *&c.* Upon which, and the King's solemn Promise to the Parliament, that *all should be done to the Glory of God and common Profit of the Realm*, the Bill was passed [k]. K. *Henry* VIII.

By this it appears how liberal the Parliament was in giving away other Men's Goods; and it may be reasonably believed that, in dissolving and giving up the Chantries, *&c.* they would, if it had been required, have given up the Churches also where they were founded.

There are no less than thirty-two Titles of Acts, passed in this Parliament, in the *Journals*; the *Statute-Books* give us only twenty-five. The other Bills of any Significancy, which were passed into Statutes this Session, are these:

Other Acts.

'An Act how Offenders in Usury should be punished; and a certain Proportion of Ten in the Hundred was limited: Which yet, had it been lower, would have made Lands more valuable, Merchandize and Victuals cheaper, and adventuring by Sea more frequent; that lazy Way of thriving being more opposite than any Thing else to that Industry by which all Kingdoms subsist and flourish.

'That where a full Jury did not appear, a Tales might be granted *de Circumstantibus*; and this was much for the Expedition of Justice.

'That whereas the Lord-Chancellor of *England*, Lord-Treasurer, Lord-President of the King's Council, Lord-Privy-Seal, and the two Chief Justices, or five, four, or three of them, should have Power, by their Discretions, to set the Prices of all Kind of Wines, as by the Act 28 *Henry* VIII. 14. ap-

[k] *Kennet*, Vol. II. p. 253.

K. *Henry* VIII. appeareth. The Time was now ſpecified to be betwixt the 20th of *November* and the laſt of *December*; and that if any Wine-Seller ſhould ſell his Wine, in Groſs, at any other Price, that the Mayor, Bailiffs, Aldermen, *&c.* may enter into his Houſe, and ſell it according to the Rate ſet down.

'By another Act threeſcore and ten Manors are aſſured to the Crown, belonging to the Archbiſhopric of *York*. The Act mentions Archbiſhop *Holgate* had ſold and conveyed all theſe Manors to the King the Year before. It is ſaid *Holgate* had ſeveral Lands, Tenements, and other Hereditaments, in Exchange; but not ſo much as one Manor is mentioned. Mr. *Collier* obſerves, the Church in this Reign, the next, and Queen *Elizabeth*'s, made generally ill Bargains with the Crown, and bartered at *Glaucus*'s Diſadvantage: But then, as theſe Princes bought very cheap of the Prelates, they ſold with the ſame Frankneſs to their Favourites.

'By this Statute it appears *Cranmer* had conveyed about a Dozen Manors and Parks to the Crown, which Sales are now confirmed. *Bonner*, Biſhop of *London*, had likewiſe ſold, given, and granted to the King, the Manors of *Chelmsford* and *Craundon*, with all their Appurtenances. This Manor and Park of *Craundon* the King had granted to Sir *William Petre*. The King's Title and Sir *William*'s are ſecured by this Statute. Farther; Doctors of Civil Law, whether married or unmarried, are enabled to exerciſe all Manner of Eccleſiaſtical Juriſdiction, and all Cenſures and Coertion appertaining, or any way belonging to the ſame. This Statute ſets forth, that Archbiſhops, Biſhops, Archdeacons, and other Eccleſiaſtical Perſons, have no Manner of Juriſdiction Eccleſiaſtical, but by, under, and from his Royal Majeſty: And that his Majeſty is the only undoubted Supreme Head of the Church of *England* and *Ireland*; to whom, by Holy Scripture, all Authority and Power is wholly given to bear and

and determine all Manner of Causes Ecclesiastical, and to correct Vice and Sin whatsoever, and to all such Persons as his Majesty shall appoint thereunto. K. *Henry* VIII.

'Lastly, a Bill passed for the Union of two Churches not above a Mile distant, provided the yearly Value did not exceed six Pounds in the King's Books. But here there is a Proviso, That no Union or Consolidation should be made in any City or Town Corporate, without the Consent of the Mayor, Sheriffs, and Commonalty.'

The Parliament continued to sit 'till *Christmas-Eve*, when the King came to the House, passed Bills, and prorogued it to the 4th Day of *November*, in the next Year. This is all that is entered in the *Journals*; but Historians are not so silent, for we are told that, after the Speaker of the House of Commons had made an elegant Oration, on presenting the Bills to the King, his Majesty, in Person, made the ensuing Answer; which, says the Noble Historian, is the more memorable, since it was both full of good Intention and Advice, and the last he ever spoke in that Place. And, we may add, the first too; since we have not met with any Speech hitherto that was spoke by this King in Parliament [1].

The King's Speech at proroguing the Parliament.

Although my Chancellor for the Time being hath, before this Time, used very eloquently and substantially to make Answer to such Orations as hath been set forth in this High Court of Parliament; yet is he not so able to open and set forth my Mind and Meaning, and the Secrets of my Heart, in so plain and ample a Manner as I myself am, and can do; wherefore I, taking upon me to answer your eloquent Oration, Mr. Speaker, say that where you, in the Name of our beloved Commons, have both praised and extolled me, for the notable Quality that you have conceived to be in me, I most

1 This Speech is in *Hall*'s *Chronicle*, who very probably heard it, for he says, it is as near taken as he is able to report it. *Fol.* cclxi.

Bishop *Burnet* says, That he cannot sufficiently wonder that no Entry is made in the *Journals* of the House of Lords of this Speech; yet it is not to be doubted but *Henry* made it, since, adds he, it was published by *Hall* soon after.

K. *Henry* VIII. *moſt heartily thank you all, that you have put me in Remembrance of my Duty; which is, to endeavour myſelf to obtain and get ſuch excellent Qualities and neceſſary Virtues, as a Prince or Governor ſhould and ought to have; of which Gifts I recognize myſelf both bare and barren; but of ſuch ſmall Qualities as God hath endowed me withall, I render to his Goodneſs my moſt humble Thanks, intending, with all my Wit and Diligence, to get and acquire to me ſuch notable Virtues and princely Qualities as you have alledged to be incorporated in my Perſon. Theſe Thanks for your loving Admonition and good Counſel firſt remembred, I eftſoons thank you again, becauſe that you, conſidering our great Charge, (not for our Pleaſure, but for our Defence; not for our Gain, but to our great Coſt, which we have lately ſuſtained, as well in Defence of your and our Enemies, as for the Conqueſt of that Fortreſs, which was to this Realm moſt diſpleaſant and noiſome, and ſhall be, by God's Grace, hereafter, to our Nation moſt profitable and pleaſant) have freely, of your own Minds, granted to us a certain Subſidy here in an Act ſpecified; which, verily, we take in good Part, regarding more your Kindneſs than the Profit thereof; as he that ſetteth more by your loving Hearts than by your Subſtance. Beſides this hearty Kindneſs, I cannot a little rejoice, when I conſider the perfect Truſt and Confidence which you have put in me, as Men having undoubted Hope, and unfeigned Belief in my good Doings and juſt Proceedings for you, who, without my Deſire or Requeſt, have committed to mine Order and Diſpoſition all Chantries, Colleges, Hoſpitals, and other Places ſpecified in a certain Act, firmly truſting that I will order them to the Glory of God, and the Profit of the Commonwealth. Surely if I, contrary to your Expectation, ſhould ſuffer the Miniſters of the Church to decay; or Learning, which is ſo great a Jewel, to be miniſh'd; or Poor and Miſerable to be unrelieved; you might ſay that I, being put in ſo ſpecial a Truſt, as I am in this Caſe, were no truſty Friend to you, nor charitable to mine, nor even a Chriſtian, neither a Lover of the Public Wealth, nor yet one that feared God, to whom Account muſt be rendered of all*

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our Doings. Doubt not, I pray you, but your Ex- K. *Henry* VIII.
pectation shall be served moregodly and goodly than you will wish or desire, as hereafter you shall plainly perceive[m]. *Now, since I find such Kindness on your Part towards me, I cannot chuse but love and favour you; affirming, That no Prince in the World more favoureth his Subjects than I do you, nor no Subjects or Commons more loved and obeyed their Sovereign Lord, than I perceive you do me; for whose Defence my Treasure shall not be hidden, nor, if Necessity require, my Person shall not be unadventured: Yet, altho' I wish you and you wish me to be in this perfect Love and Concord, this friendly Amity can't continue, except both you my Lords Temporal, and my Lords Spiritual, and you my loving Subjects, study and take Pains to amend one Thing, which surely is amiss and far out of Order, to which I most heartily require you; which is, that Charity and Concord is not among you, but Disorder and Dissention beareth Rule in every Place. St.* Paul *saith to the* Corinthians, *in Chap.* xiii. Charity is gentle, Charity is not envious, Charity is not proud, *and so forth, in the said Chapter. Behold then, what Love and Charity is among you, when the one calleth another Heretic and Anabaptist, and he calleth him again Papist, Hypocrite, and Pharisee! Be these Tokens of Charity amongst you? Are these Signs of fraternal Love between you? No, no, I assure you that this Lack of Charity amongst yourselves, will be the Hinderance and Assuaging of the fervent Love between us, as I said before, except this Wound be salved, and clearly made whole. I must needs judge the Fault and Occasion of this Discord to be partly by Negligence of you the Fathers and Preachers of the Spirituality: For if I know a Man which liveth in Adultery, I must judge him a lecherous and a carnal Person: If see a Man boast and brag himself, I cannot but deem him a proud Man. I see here daily that you of the Clergy preach one against another; teach one contrary to another; envy one*

m This was a solemn Engagement, says Bishop *Godwyn, Cæterum Promissorum Fidem nondum executam videmus*; *i. e.* The Event did not come up to the Promise. *Godwyn, Annal. ad An.* 1545.

K. Henry VIII. *one againſt another, without Charity or Diſcretion; ſome be too ſtiff in their old* Mumpſimus, *others be too buſy and curious in their new* Sumpſimus. *Thus all Men, almoſt, be in Variety and Diſcord, and few or none preaching truly and ſincerely the Word of God, according as they ought to do. Shall I judge you charitable Perſons doing this? No, no, I cannot do ſo. Alas! how can the poor Souls live in Concord, when you Preachers ſow amongſt them, in your Sermons, Debate and Diſcord? Of you they look for Light, and you bring them to Darkneſs. Amend theſe Crimes, I exhort you, and ſet out God's Word, both by true Preaching and good Example-giving; or elſe I, whom God hath appointed his Vicar and High Miniſter here, will ſee theſe Diviſions extinct, and theſe Enormities corrected, according to my very Duty, or elſe I am an unprofitable Servant and an untrue Officer. Altho' I ſay the Spiritual Men be in ſome Fault, that Charity is not kept amongſt you, yet you of the Temporality be not clear and unſpotted of Malice and Envy; for you rail at Biſhops, ſpeak ſcandalouſly of Prieſts, and rebuke and taunt Preachers; both contrary to good Order and Chriſtian Fraternity. If you know ſurely that a Biſhop or Preacher erreth, or teacheth perverſe Doctrine, come and declare it to ſome of our Council, or to us, to whom is committed, by God, the high Authority to reform and order ſuch Cauſes and Behaviours; and be not Judges yourſelves of your fantaſtic Opinions and vain Expoſitions, for in ſuch high Cauſes you may lightly err: And Altho' you be permitted to read Holy Scripture, and to have the Word of God in your Mother-Tongue, you muſt underſtand it is licenſed you ſo to do, only to inform your own Conſciences, and inſtruct your Children and Family; and not to diſpute and make Scripture a railing and taunting Stock againſt Prieſts and Preachers, as many light Perſons do. I am very ſorry to know and hear how unreverendly that moſt precious Jewel, the Word of God, is diſputed, rhymed, ſung, and jangled in every Alehouſe and Tavern, contrary to the true Meaning and Doctrine of the ſame; and yet I am even as much ſorry, that the Readers of*

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the same follow it, in doing it so faintly and coldly; for of this I am sure, that Charity was never so faint amongst you, and virtuous and godly Living was never less used, nor God himself, amongst Christians, was never less reverenced, honoured, or served: Therefore, as I said before, be in Charity one with another; like Brother and Brother love; dread and fear God; to the which I, as your Supreme Head and Sovereign Lord, exhort and require you; and then I doubt not but that Love and League, that I spake of in the Beginning, shall never be discouraged or broken between us. To the making of Laws, which we have now made and concluded, I exhort you, the Makers, to be as diligent in putting them in Execution, as you were in making and furthering of the same; or else your Labour shall be in vain, and your Commonwealth nothing relieved. Now to your Petition, concerning our Royal Assent to be given to such Acts as have passed both the Houses, they shall be read openly, that ye may hear them. K. Henry VIII.

When this Session of Parliament was ended, and the two Universities given to understand that their Colleges were at the King's Disposal, that of *Cambridge* first implored his Favour, beseeching him to defend their Possessions from the covetous and greedy Minds of ignorant and unlearned Men. The University of *Oxford* petitioned also to the same Purpose, and Dr. *Cox*, Dean of *Oxford*, Tutor to the Prince, wrote to Secretary *Paget*, 'to re-'present the Want of Schools, Preachers, Hospitals 'for Orphans, &c. And since the Disposition of 'Chantries, &c. was in the King's Hands, to ob-'tain that the Clergy might be honestly provided 'for; lest Beggary should drive them to Flattery, 'Superstition, and old Idolatry. Which, adds he, 'I speak not as if I distrusted the King's Goodness; 'but because there are such a Number of impor-'tunate Wolves, as are able to destroy Chantries, 'Cathedral Churches, Universities, and a thousand 'Times as much, which Posterity will wonder at[n].' The two Universities petition against the late Act for their Dissolution.

[n] *Kennet*, Vol. II. p. 254.

K. *Henry* VIII. In short, the two Universities were saved from Plunder, but the Chantries, *&c.* went down, the Lands belonging to all which being sold, must raise a prodigious Sum of Money: But, tho' *Henry* was now in the last Year of his Life, we do not find that much of this Treasure was left to his Successor.

Anno Regni 38. 1547. The *Journal* furnishes us with another Session of this Parliament, which, as hath been said, was prorogued to the 4th of *November*, but was again adjourned to the 14th of *January* following, when they met to do Business. Lord *Herbert* hath not one Word of this last Session, tho' some Things of a public Concern were transacted in it °.

The Duke of *Norfolk* and his Son the Earl of *Surrey* attainted. On the 18th of the same Month a Bill was brought into the House for the Attainder of *Thomas* Duke of *Norfolk*, and *Henry* Earl of *Surrey* his Son. It was read a first Time, and committed to the King's Sollicitor-General for Examination. The Bill passed the House of Lords the 20th of *January*, and was returned, passed by the Commons, the 24th.

On the 27th of the same Month the Lord-Chancellor, now the Lord *Wriothesley*, ordered all the Peers to put on their Parliament-Robes, and that the Commons, with their Speaker, should be called before him; which done, the said Chancellor declared to both the Houses, That it was his Majesty's Desire, for certain Reasons, that they should expedite the Bill for the Attainder of *Thomas* Duke of *Norfolk* and *Henry* Earl of *Surrey* as fast as possible. And for this Cause chiefly, that the King might be enabled to bestow the Office of Earl Marshal, we suppose, borne by the said Duke, on some other, who by just Right might execute it at the Ceremony of the Creation of Prince *Edward*, then

° Bishop *Burnet* makes this a new Parliament, when it is plain by the *Journals*, which he had seen, that it was only a Continuance of the last. He writes, That the Reason for calling it was pretended to be for the Coronation of the Prince of *Wales*. He should have said, For the Creation of Prince *Edward* to that Dignity; the Robes and Ornaments being now preparing for that Purpose, but was prevented by the King's Death. See *Heylin*'s *History of the Reformation*, p. 8 and 14.

then approaching: Which Bill all the Lords and Commons had already passed; and therefore, because the King was hindered by Sickness from coming to the House to give his Royal Assent to the same, his Majesty had directed a Commission to him and other Lords, there sitting, in his Name to give the Royal Assent to the said Bill [p]: Which Commission, dated *Jan.* 27, in the 38th Year of his Reign, signed with the King's Hand, and under K. *Henry* VIII.

[p] This was the last Act of State that *Henry* ever executed, being signed by him only the Day before he died; and being also a strong Instance that the Cruelty of his Temper continued with him to the last, we think deserves a Place in these Inquiries. It stands in *Rymer*'s *Public Acts*, Tom. XV. p. 118, under this Title:

Commissio ad præbendum Assensum Regium in Parliamento.

Rex prædilectis & fidelibus Consiliariis suis, Thomæ Wriothesley, *sacri Ordinis* Garterii *Militi, Domino* Wriothesley, *Domino Cancellario* Angliæ; Willielmo Poulet, *ejusdem sacri Ordinis* Garterii *Militi, Domino* Seynt John, *Magno Magistro & Senascallo Hospitii nostri ac Presidenti Consilii nostri*; Johanni Russel, *ejusdem sacri Ordinis* Garterii *Militi, Domino* Russel, *Custodi Privati Sigilli nostri*; *ac carissimo Consanguineo suo* Edwardo *Comiti* Hertfordiæ, *ejusdem sacri Ordinis* Garterii *Militi, Magno Camerario* Angliæ, *Salutem,*

Cum quædam Petitio, Formam Actus Attincturæ versus Thomam *Ducem* Norfolchiæ, *&* Henricum *nuper Comitem* Surriæ, *continens, nobis in præsenti Parliamento nostro exhibita extiterit, ac Domini & Magnates & Communitas Regni nostri* Angliæ *in eodem præsenti Parliamento nostro existentes, super Petitione prædicta, ac de & super omnibus & singulis Contentis & specificatis in eadem plenarie & totaliter concluserint & concordaverint.*

Nos eidem Petitioni, necnon omnibus & singulis in eadem conclusis & concordatis, Regium nostrum Assensum & Consensum duximus adhibendum & præbendum.

Sciatis igitur quod nos, de Fidelitatibus, Industriis, & providis Circumspectionibus vestris plurimum confidentes, assignavimus vos & tres vestrum plenam Potestatem & Auctoritatem ac Mandatum speciale, Petitioni prædictæ, necnon omnibus & singulis conclusis & concordatis in præsenti Parliamento prædicto, super eadem Petitione nostrum Regium Assensum & Consensum adhibendi & præbendi.

Et ideo vobis mandamus quod circa Præmissa diligenter intendatis, ac ea faciatis & exequamini indilate cum Effectu.

Significamus enim, Tenore Præsentium, omnibus & singulis Dominis & Magnatibus, ac Communitati dicti nostri Regni Angliæ, *in prædicto præsenti Parliamento existentibus, nos ratum, gratum & firmum habentes & habituros totum & quicquid vos vel tres vestrum feceritis vel fecerint Nomine nostro in Præmissis.*

In cujus Rei, &c.

Teste Rege apud Westmonasterium, *Die* Januarii, *Anno Regni suo tricessimo-octavo.*

N. B. The Date of the Day is omitted in *Rymer*, perhaps because it was obliterated in the Original; but it was *Jan.* 27, and *Henry* died the next Day.

K. *Henry* VIII. the Broad Seal, being read, the Lord-Chancellor commanded the Clerk of Parliament to pronounce the usual Words, *Soit fait come il est desiré*. And thus the Bill passed into a Statute.

Lord *Herbert* hath given the whole Proceedings in Council, and before a Jury, of the Duke of *Norfolk*'s and his Son the Earl of *Surrey*'s Examination and Trial, to whom we refer. The long and faithful Services both of Father and Son to the Crown could not, it seems, screen them from the King's Jealousy; who thought them so popular, and so nearly related to the Blood Royal, that they might injure the Succession if he left them alive behind him; and *Henry*, finding himself decay very fast, was the Occasion of driving this Bill so quick through both Houses against them. The Earl of *Surrey* was beheaded on *Tower-Hill*; and it is thought the Duke of *Norfolk*, notwithstanding his Submission and long Services, would not have escaped, had not the King's Death reserved him to more merciful Times: For, four Days after signing the Commission for passing the Bill, *viz. Jan.* 31, the Lord-Chancellor declared to both Houses the King's Death, and that he expired early in the Morning, on *Friday* the 28th of this Month; *Cujus Animæ propitietur Deus*, says the *Journal*. Bishop *Burnet* supposes, by the Distance of Time between the King's Death and this Declaration, that, for Reasons of State, it was kept secret two or three Days. It is certain the Parliament had no Being from the Moment the King's Breath was out; and the Reasons for concealing he judges to be, either that the Council were considering what to do with the Duke of *Norfolk*, or that the *Seymours* were laying their Matters so as to be secure of the Government after the King's Death. The mournful News of which, says the *Journal*, was so affecting to the Chancellor and all present, that they could not refrain from Tears: But turning their Thoughts on his Successor, Prince *Edward*, by divine Appointment, and the greatest Part of the Testament of their said deceased Sovereign being read

The Death of *Henry* VIII.

read by Sir *William Paget*, Principal Secretary of State, concerning the Succeſſion and well-governing of the Kingdom during the Minority of the ſaid Prince *Edward*, with the Clauſe for Payment of Debts and performing of Promiſes, the Lord-Chancellor declared that, by the King's Death, the Parliament was diſſolved, and that every Man was at Liberty to depart home. Nevertheleſs, he adviſed the Peers to wait for the Coronation of Prince *Edward*, which was ſhortly expected. K. *Henry* VIII.

The Titles of ſome particular Bills that were brought into the Houſe this laſt Seſſion are theſe:

A Bill for the Eſtabliſhment of a Court of Augmentations.

Another, concerning Informations.

A Bill concerning Sheriffs and Bailiffs.

A Bill, that the Survivor of the Executors may ſell the Lands of his Eſtate, *&c.*

We ſhall conclude this Reign with an Abſtract from the general Character of this King, drawn up by Lord *Herbert*, relating to his Conduct with his Parliaments. After ſpeaking of foreign Affairs,

'At home, ſays the Noble Hiſtorian, it was his 'Manner to treat much with his Parliaments; 'where, if gentle Means ſerved not, he came to 'ſome Degrees of the rough; though the more 'ſparingly, in that he knew his People did but too 'much fear him: Beſides, he underſtood well that 'foul Ways are not always paſſable; not to be 'uſed, eſpecially in ſuſpected and dangerous Times, 'but when others fail. However, it may be 'noted that none of his Predeceſſors underſtood the 'Temper of Parliaments better than himſelf, or 'that availed himſelf more dextrouſly of them: 'Therefore, without being much troubled at the 'tumultuous Beginnings of the raſher Sort, he 'would give them that Leave, which all new 'Things muſt have, to ſettle: Which being done, 'his next Care was to diſcover and prevent thoſe 'privy Combinations that were not for his Service. 'After which, coming to the Point of Contribu-

K. *Henry* VIII. ‘tion, he generally took ſtrict Order, by his Com-
‘miſſioners, that Gentlemen in the Country ſhould
‘not ſpare each other; but that the true, or at
‘leaſt near approaching, Value of every Man's
‘Goods and Lands ſhould be certified: And this
‘he did, the rather, becauſe he knew the Cuſtom
‘of his People was to reckon with him about their
‘Subſidies, and indeed rather to number than to
‘weigh their Gifts [q].’

[q] *Kennet*, Vol. II. p. 267.

EDWARD *the Sixth.*

THE laſt King being departed out of this World, after a long and proſperous Reign, in regard to himſelf, whatever it was to his Subjects, another *Edward*, once more, ſucceeded to the Throne; who was proclaimed and afterwards crowned, with the uſual Solemnities, by the Stile and Titles of *Edward* the Sixth, King of *England*, *France*, and *Ireland*, &c. [q] being then about nine Years of Age. The Acceſſion of K. *Edward* VI.

The tender Years of this Prince occaſioned his Father to be very careful in placing his Non-age in the Hands of the moſt faithful and able Counſellors; a long Liſt of which may be ſeen in his laſt Will: An Inſtrument of ſuch a Nature as never came from any other King of *England*, either before or ſince [r].

Soon after the Coronation the Lord *Edward Seymour*, then Earl of *Hertford*, was created Duke of *Somerſet*, and made Governor to the King's Highneſs, and Protector of the Realm. This Nobleman was own Uncle to the King by the Mother's Side; and had, by that Affinity, and his Places, an abſolute Sway over all. The very firſt Year of this Reign began with a War with *Scotland*; ſome Overtures of a Marriage having been again made by the *Engliſh* Council between their King and the Princeſs *Mary*, ſole Daughter and Heir to *James* V. King of *Scots*; which, being refuſed by the latter, a bloody War enſued. The *Engliſh* Army was commanded by the Duke of *Somerſet*, who marched Northward as far as the River *Eſke*; on the Banks of which an obſtinate Battle was fought, in which the *Engliſh* were Conquerors, with the Deſtruction of above 10,000 of their Enemies. A Victory againſt the *Scots*

This Reign alſo began with a farther Reformation in Religion, the Lord-Protector being zealous for

[q] *February* 20, 1547.

[r] A Copy of this Will, wrote in the *Engliſh* Tongue, is in *Rymer's Fœd. Ang.* Tom. XV. p. 110, &c.

K. *Edward* VI. for carrying it on; certain Injunctions were published, by Authority, for removing Images out of Churches, and for abolishing or altering some other antient Observations, as Sir *John Hayward* terms them, in the Church [s]. Some Bishops opposing these Innovations, and others saying that it was well to stay these Changes in Religious Matters 'till the King was of Years fit to govern by himself, a Parliament was called to meet at *Westminster*, on the 4th Day of *November*, in the first Year of his Reign. A List of the Temporal Lords, summoned to it, is as follows [t];

A Parliament called, Anno Regni 1. 1547.

The Duke of *Somerset*, Protector of *England*, Governor to the King's Person, and Treasurer of *England*.
Lord *Rich*, Lord-High-Chancellor of *England*.
Sir *William Paulet*, Lord *St. John*, Great Master of the King's Household, and President of the Council.
John Lord *Russel*, Lord-Keeper of the Privy-Seal.
Henry Marquis of *Dorset*.
William Marq. of *Northampton*.
Henry Earl of *Arundele*.
John Earl of *Oxford*.
Edward Earl of *Derby*.
Francis Earl of *Huntingdon*.
Henry Earl of *Sussex*.
Francis Earl of *Salisbury*.
Henry Earl of *Worcester*.
Ralph Earl of *Westmoreland*.
John Earl of *Bath*.
John Earl of *Warwick*, Great Chamberlain of *England*.
Thomas Earl of *Southampton*.
Henry Earl of *Cumberland*.
Henry Earl of *Bridgewater*.
Thomas Lord *Seymour*, Lord High-Admiral of *England*.
John Touchet, Lord *Audley*.
Thomas West, Lord *De la War*.
Henry Parker, Lord *Morley*.
Walter Devereux, Lord *Ferrers*.

William

[s] The Life and Reign of *Edward* VI. by Sir *John Hayward*, Knight.

[t] From *Dugdale*'s *Summons to Parliament*, and the *Journals* of the Lords.

William Dacre, Lord *Dacre* of *Gilleſland*.
John Lord *Zouch*.
John Ld. *Scrope* of *Bolton*.
William Stourton, Lord *Stourton*.
John Nevile, Ld. *Latimer*.
George Broke, Lord *Cobham*.
Thomas Lord *Sandys*.
John Lord *Conyers*.
Edward Lord *Grey*, of *Powis*.
William Lord *Grey*, of *Wilton*.
Thomas Stanley, Lord *Monteagle*.
Thomas Lord *Vaux*.
William Lord *Wyndſore*.
Thomas Lord *Wentworth*.
Thomas Lord *Brough*.
John Lord *Mordaunt*.
Edward Lord *Clinton*.
William Lord *Parr*.
Gregory Lord *Cromwell*.
Thomas Lord *Wharton*.
William Lord *Evers*.
William Ld. *Willoughby*, of *Parham*.
Edmund Sheffield, Lord *Sheffield*.
John Lord *Bray*.

Dr. *Heylin*, in his Hiſtory of the Reformation [u], introduces his Account of this Parliament in this Manner. He firſt tells us, 'That tho' the Members of it were of different Sentiments, in regard to Religion, yet they agreed very well in one common Principle, to ſtrike in with the Juncture, and take Care of themſelves: For tho' a great Number of the Lords and Commons were inclined to the Doctrines of the late Reign, yet they were willing to give Way to ſuch Acts as widened the Breach between the *Engliſh* and *Roman* Communion. The preſent Affinity in Doctrine they were afraid might end in a Reconciliation with the Pope; and that ſuch Meaſures would prove dangerous to their Eſtates gained from the Church. As for the reſt, adds our Author, whoſe Buſineſs was either to make or improve their Fortunes, they came prepared, without Queſtion, to cloſe with ſuch a Reformation as ſuited beſt with their Purpoſe. This, continues he, ſeems pretty evident by the Tendency of ſome of the Acts; which, in his Opinion, ſeem to overlook the Concern of Religion, and aim at private Intereſt in a very remarkable Manner.'

Thus

[u] *Lond.* Fol. 1661. p. 48.

K. *Edward* VI. Thus far the learned Hiſtorian, in his Introduction to the Hiſtory of the Proceedings of this Parliament; we will next ſee what a much later Writer hath told us to the ſame Purpoſe. The celebrated M. *Rapin* has ſhewn himſelf, in the Courſe of this Work, as averſe to Parliaments as he is to Monarchy or Epiſcopacy; but in none more than this, when he ſays [u],

'It is very certain the Number of thoſe who deſired a Reformation was very great in the Kingdom. However, it muſt not be imagined that then, any more than at this Day, whatever the Parliament did was agreeable to the general Opinion of the Nation. The Repreſentatives of the Commons were choſen, as they are at preſent, without any Inſtructions concerning the Points to be debated in Parliament, nay, without the People's knowing any Thing of them. Thus, the Houſe of Commons had, as I may ſay, an unlimited Power, to determine by a Majority of Votes, with the Concurrence of the Lords, and Aſſent of the King, what they deemed proper for the Welfare of the Kingdom. There was no Neceſſity therefore, in order to obtain what the Court deſired, of having the univerſal Conſent of the People, but only the Majority of the Voices in both Houſes. Hence it is eaſy to conceive, that the Court uſed all imaginable Means to cauſe ſuch Members to be elected as were in their Sentiments. This is now, and ever will be, practiſed till ſome Cure is found for this Inconvenience. I call it Inconvenience, becauſe it happens ſometimes that the Parliament paſſes Acts contrary to the general Opinion of the Nation. Of this one may be eaſily convinced, by what paſſed in the Parliaments held under *Edward* VI. and Queen *Mary* his Siſter. In the Reign of *Edward*, Popery was entirely rooted out; and under *Mary* it was wholly replanted. In one or other of theſe Reigns therefore the Parliament muſt have acted contrary to the Opinion of the People, ſince it is not poſſible to believe, that a whole Nation ſhould have thus changed, in an Inſtant, from

[u] *Rapin's Hiſtory of England*, Vol. II. p. 9.

from White to Black. I don't pretend, by this Remark, to weaken the Proceedings of *Edward* the Sixth's Parliament in Favour of the Reformation; what I advance is levelled as much againſt that of Queen *Mary* as againſt this. My Deſign is only to obſerve that the Determination of a Parliament is not always a convincing Proof of the Approbation of the whole *Engliſh* Nation. The Reaſons therefore which may be drawn from the pretended Conſent of the Nation, repreſented in Parliament, either for or againſt the Reformation, ſeem to be of very little Weight. Each of the two Parties will always ſay, and perhaps very juſtly, that the Parliament which oppoſed them was a Parliament devoted to the King and the Miniſtry.' K. *Edward* VI.

But to begin with much better Authority than either of theſe Writers, who are repreſented partial to their ſeveral Sentiments in Religion, we ſhall chiefly follow the *Journals* of both Houſes of Parliament; thoſe of the Commons beginning now with this Reign in the Book called *Seymour*, from the Name of the then Clerk of that Houſe. This Book, with the ſubſequent *Journals* of the Houſe of Commons down to the preſent Times, were ordered to be printed for the Uſe of the Members of the Parliament, which ended, by Diſſolution, in the Year 1747. The firſt Volume, which begins with this Reign, contains little more than a diurnal ſuccinct Account of Proceedings in reading Bills, *&c.* but yet will be of ſome Uſe, in aſcertaining Dates, in Chronology; a Matter much neglected by our modern Hiſtorians. The *Journals* of the Lords are more explicit in the Reign before us than thoſe of the Commons, the enſuing Parliament being introduced by that Authority in the following Manner:

Memorandum[x], The 4th of *November*, in the firſt Year of King *Edward* VI. the King's Majeſty ſitting in the Parliament-Chamber at *Weſtminſter*, with all the Lords on both Sides, and the Commons ſtanding beneath the Bar, commanded the Clerk of

[x] *Verbatim* from the *Journals* of the Lords.

K. *Edward* VI. of the Parliament openly to read his Highneſs's Commiſſion, being ſealed with the Great Seal of *England*, the Tenor whereof hereafter followeth:

EDWARD the Sixth, by the Grace of God, King of *England*, *France*, and *Ireland*, Defender of the Faith, and of the Church of *England* and alſo of *Ireland*, in Earth, the Supreme Head; to all to whom theſe Preſents ſhall come, Greeting.

Commiſſion appointing the Protector's Seat in Parliament.

Forasmuch as our moſt dear Uncle, Edward *Duke of* Somerſet, *whom, by the Advice of the Lords and the reſt of our Council, with the Conſent and good Agreement of the Noblemen of our Realms, we have named, ordained, and commanded to be Governor of our Perſon, and Protector of our Realms, Dominions, and Subjects, during our Minority, hath no ſuch Place appropriate or appointed unto him in our High Court of Parliament, as is convenient and neceſſary, as well in reſpect of his Proximity of Blood unto us, being our Uncle, and eldeſt Brother unto our Mother of moſt noble Memory, deceaſed, Queen* Jane; *as alſo for his better managing and conducting our Affairs to our Honour, Dignity, and Surety, and the Wealth and Benefit of our Realms, Dominions, and Subjects: We have therefore, as well by the Conſent of our ſaid Uncle, and by the Advice of other the Lords of our Privy Council, willed, ordained, and appointed, and do, by theſe Preſents, will, ordain, and appoint, that our ſaid Uncle ſhall and do ſit alone, and be placed at all Times, as well in our Preſence in our ſaid Court of Parliament as in our Abſence, upon the Midſt of the Bench or Stool ſtanding next on the Right Hand of our Seat Royal in our Parliament-Chamber; and that he farther ſhall have and do enjoy, in our ſaid Court of Parliament, in all Seſſions, all ſuch other Privileges, Preheminences, Prerogatives, and Liberties in all Things, and to all Effects, as by Law or Statutes heretofore made, or otherwiſe, any the Uncles, by Father or Mother Side, to any of our Moſt Noble Progenitors, or any Protector of their Realms and Dominions, being in the Minority of*

Years

Years as we be, have had, uſed, or enjoyed in their Courts of Parliament, the Statute concerning the placing of the Lords in the Parliament-Chamber, and other Aſſemblies and Conferences of Council, made in the one-and-thirtieth Year of the Reign of our moſt dear Father, of famous Memory, King Henry VIII. *or any other Statute, Act, Ordinance, or Proviſion, heretofore had or made to the contrary notwithſtanding; and for the expreſs Mention of any other Grants or Gifts made to our ſaid Uncle by us, or any of our Progenitors heretofore had or made, in theſe Preſents not mentioned, or any other Thing, Matter, or Cauſe, whatſoever it be, notwithſtanding; in Witneſs whereof we have cauſed theſe our Letters to be made Patent.*——Witneſs ourſelf at *Weſtminſter* the 3d Day of *November*, in the firſt Year our Reign. K. *Edward* VI.

SOUTHWELL [y].

When the aforeſaid Commiſſion was openly read, and heard of all the Houſe, and the Lord-Protector placed accordingly, the Lord *Rich*, being Lord-Chancellor, began his Oration to the Effect as follows: ——

We have choſe to give the foregoing Memorandum and Letters Patent at Length, as they are entered in the *Journals*, being the firſt Step of Power and Preheminence this haughty Duke took upon him: But, whether by the Negligence of the Clerks or otherwiſe, the Lord-Chancellor's Oration is wholly omitted, and only a blank Page left for it. Neither is the Speaker of the Houſe of Commons mentioned as uſual; but this we ſupply from their *Journals*. Sir *John Baker*, Knt. (who, *Stowe* tells us, was Chancellor of the Firſt-Fruits and Tenths) was choſen Speaker of the Commons in this Parliament [z]. Sir John Baker choſen Speaker.

The firſt Affair we find that the Houſe of Lords went upon, was to frame a Bill for the better Protection of the Northern Borders; and the Archbiſhop

y Sir *Richard Southwell*, then Maſter of the Rolls. This Inſtrument is alſo preſerved, from the *Records*, in *Rymer's Fœdera*, Tom. XV. p. 164.

z *Stowe's Chronicle.*

K. *Edward* VI. ſhop of *York*, the Biſhop of *Durham*, the Lords *Dacres* and *Evers*, all Northern Lords, and whoſe Security depended on ſuch a Protection, were appointed Commiſſioners to draw it up: But we do not find that it paſſed into a Law, it being thought more adviſeable to ſend a great Army thither under the Lord-Protector; who, gaining a complete Victory over the *Scots* near *Muſſelburgh*, was the ſureſt Way to protect this Kingdom from their Incurſions. This War broke out on Occaſion of the *Scots* again refuſing their Princeſs *Mary* to be joined in Wedlock with our young King *Edward*. She was afterwards married to the *Dauphin* of *France*.

The next Thing was a Bill to prevent the Decay of Tillage, Houſes, *&c.* and the Lord *St. John*, the Earls of *Arundele*, *Shrewſbury*, *Huntingdon*, and *Southampton*, were a Committee for that Purpoſe.

But we ſhall not follow the *Journal* cloſely in an exact Account of each Day's Proceedings, the moſt remarkable will be ſufficient for this Deſign.

Nov. 10. A Bill for the Repeal of certain Statutes, as it is there called, came into the Houſe; but was in Effect to be an Act to repeal the Statute of the 28th of *Henry* VIII. which gave Authority to the King, after the Age of twenty-four Years, to repeal, by his Letters Patent, all former Statutes made during his Minority, *&c*[a]. A Stretch of abſolute Power left as a Legacy by the late King to his Son and Succeſſors; and if it had ſtood, Parliaments would have ſoon become uſeleſs to this Nation.

The Statute of Prerogative, An. 28 *Henry* VIII. repealed.

But, by this Act, it was thus altered, 'That 'the King, when he came to the aforeſaid Age, 'might, by his Letters Patent, annul any Act of 'Parliament for the future; but could not ſo void it 'from the Beginning, as to annul all Things done 'upon it, between the making and annulling of 'any Law, which were ſtill to be lawful Deeds.' This Bill was afterwards tacked to another for the Repeal of Treaſons, Felonies, *&c.* which will come in the Sequel.

Nov.

[a] *Statutes at large*, An. 1 *Ed.* VI. cap. xi.

Nov. 12. There was a Bill brought into the House of Commons, relating to the Sacrament of the Altar, which passed that House on the 17th of the same Month. K. *Edward* VI.

This Bill was occasioned by an irreverent Treatment that sacred Mystery met with at that Time, from the then growing Sect of the *Puritans* and others. The Preamble to the Act declares, *That some had disputed and reasoned unreverently and ungodly of that most holy Mystery, and called it by such vile and unseemly Words that Christian Ears did abhor.* The Act forbears to mention them; but some of the Terms were *Round Robin*, *Jack-in-a-Box*, *Sacrament of the Halter*, *&c.* because the Wafer was round, and usually kept in a Pix, or Box. The same Act, in the last Paragraph of it, did injoin the said Holy Sacrament to be delivered and ministred to the People in both Kinds, of Bread and Wine; *being more conformable*, as the Act expresses, *to the common Use and Practice of the Apostles and primitive Church, by the Space of five hundred Years and more after* Christ's *Ascension.* Act relating to the Sacrament,

Dec. 10. This Bill passed the Lords, with the Consent of all the Peers, except the Bishops of *London*, *Hereford*, *Norwich*, *Worcester*, and *Chichester*, who protested against it.

On the 15th of the same Month, a Bill for the Admission of Bishops by the King's Majesty only, was brought into the House; that is, that Bishops should be placed in their Sees by Collation of the King under his Letters Patent, without any precedent Election or ensuing Confirmation. By this Act it was set forth, 'That the Way of chusing Bishops by *Congé d'Estire* was tedious and expensive, that there was only a Shadow of Election in it, and that therefore Bishops should thereafter be made by the King's Letters Patent, upon which they were to be consecrated: And whereas the Bishops did exercise their Authority, and carry on Processes, in their own Names, as they were wont to do in the Time of Popery; and since all Jurisdiction, both Spiritual and And to the Confirmation of Bishops.

K. *Edward* VI. and Temporal, was derived from the King, that therefore their Courts and all Proceſſes ſhould be from henceforth carried on in the King's Name, and be ſealed by the King's Seal, as it was in the other Courts of Common Law, after the firſt of *July* next; excepting only the Archbiſhop of *Canterbury*'s Courts, and all Collations, Preſentations, or Letters of Orders, which were to paſs under the Biſhops proper Seals as formerly.' Upon this Act great Advantages were taken to diſparage the Reformation, as ſubjecting the Biſhops wholly to the Pleaſure of the Court [a].

On the ſame Day another Bill for reading the Scripture was introduced; which will be farther explained in the Sequel.

Nov 19. A Bill for exerciſing Eccleſiaſtical Juriſdiction came into the Houſe of Lords; which was, that all Proceſſes Eccleſiaſtical ſhould be made in the King's Name, as in Writs at the Common Law; and all Perſons exerciſing Eccleſiaſtical Juriſdiction, ſhould have the King's Arms in their Seals.

On the 26th *ibidem*, another Bill was added for erecting a new Court, to be called the Court of *Chancery*, for Eccleſiaſtical and Civil Cauſes. The Bill was committed to the Archbiſhop of *Canterbury*, the Biſhops of *London*, *Durham*, *Ely*, *Litchfield* and *Coventry*; the Earls of *Arundele* and *Southampton*, the Lord Admiral, and Lord *Cobham*, Mr. Secretary to the Judges, and others of the King's Council learned in the Laws: But neither of theſe Bills were paſſed into Statutes.

A Subſidy. On the 21ſt, a Bill for a Subſidy of Tonnage and Poundage on Merchandize, called Cuſtoms, was brought in; which afterwards paſſed both Houſes, with a Proviſo for the Merchants of the *Stilyard*. It was granted for the King's Life, and then was rated, the Tonnage at three Shillings on every Ton of Wine; for ſweet Wines, ſix Shillings; and Twelve-pence for every Aulne of *Rheniſh*. The Poundage was Twelve-pence in the Pound, in Value, of all Goods imported or exported; and two

[a] *Burnet*, Vol. II. p. 43.

two Shillings of Aliens for Tin and Pewter exported [b]. K. *Edward* VI.

Dec. 12. A Bill was read a second Time by the Lords, for suppressing Chantries and Colleges. On the 15th it was read a third Time, and passed that House by the Consent of all the Peers, except the Archbishop of *Canterbury*, and the Bishops of *London*, *Durham*, *Ely*, *Norwich*, *Hereford*, *Worcester*, and *Chichester*, who dissented from it. There are two Instances, in this Day's Proceedings and the Day before, of two or three Lay Lords dissenting from Bills passing the House, which are the first we have yet met with in the *Journals*; but no Protests are entered against them. Act for dissolving Chantries, &c.

This Bill was afterwards new-modelled by the Commons, and it passed both Houses *Dec.* 24, the Bishops of *London*. *Durham*, *Ely*, *Hereford*, and *Chichester*, then only dissenting. The Purport of it was, That, by this Act, divers Colleges, Chantries, Free Chapels, Fraternities, Guilds, &c. with all their Lands and Goods, were put into the actual Possession of the King. Part of these Goods and Lands being sold at a low Value, enriched many and enobled some; and thereby, as Sir *John Hayward* observes, made them firm in maintaining the Change [c].

But, in order to make this remarkable Act the better understood, we shall subjoin Mr. *Collier*'s

 Explanation

[b] *Stevens*'s *History of Taxes*. p. 231.

[c] Life and Reign of *Edward* VI.

A *Chantry* was a little Church, Chapel, or particular Altar, in some Cathedral Church, &c. endowed with Lands or other Revenues, for Maintenance of one or more Priests, daily to sing Mass and perform divine Service, for the Use of the Founders and such others as they appointed.——*Free Chapels* were independent on any Church, and endowed for much the same Purpose as the former.—The *Obit* was the Anniversary of any Person's Death; and to observe such Day, with Prayers, Alms, and other Oblations, was called the keeping the Obit.——*Anniversaries* were the yearly Returns of the Day of the Death of Persons, which the Religious registered in their Obitual or Martyrology, and annually observed, in Gratitude to their Founders or Benefactors.——*Guild* signifies a Fraternity or Company, from the *Saxon Guildan* to pay; because every one was to pay something towards the Charge and Support of the Company. *Jacob*'s *Law Dictionary*.

K. *Edward* VI. Explanation of it. That learned Author acquaints us, 'That Archbiſhop *Cranmer* inſiſted ſtrongly againſt the Diſſolution of theſe Chantries, Colleges, &c. or at leaſt that it might be poſtponed till the King came at Age: That by this Delay the Reaſons of the Diſſolution would be better anſwered, and the Lands preſerved for the Improvement of the Royal Revenues: That, during his Majeſty's Minority, there would be Danger of alienating the Eſtates, and waſting the Treaſure ariſing from theſe Endowments. The Archbiſhop had likewiſe a farther View for the Benefit of the Church. The Clergy were much impoveriſhed by impropriated Tythes falling amongſt the Laity, which ſhould, in all Reaſon, have been returned to the Church. Things ſtanding thus, *Cranmer* had no Proſpect of retrieving the Misfortune, but by reſpiting the Diſſolution of the Chantries till the King was a Major. Provided he could make the Matter reſt till that Time, he did not queſtion the pious Diſpoſition of this Prince might be prevail'd on to beſtow theſe Foundations upon the Parochial Clergy, who were now lamentably reduced: And thus far, without Doubt, the reſt of the above-mention'd Biſhops concurr'd with him. But the Courtiers, who puſh'd the Bill, were acted by different Motives; they wanted Eſtates to their new Titles, and had no other Way of ſatisfying their Pretenſions than by ſeizing the Opportunity, and ſharing the Chantry-Lands amongſt them, while the Government was in their Hands. When the Bill was ſent down to the Lower Houſe, it was ſtrongly oppoſed by ſome of the Members: It was urged, That the Boroughs could not maintain their Churches, nor defray the other Expences of the Guilds and Fraternities, if the Eſtates belonging to them were granted to the Crown. The Arguments upon this Head ſway'd the Houſe, and brought them towards a Vote againſt paſſing that Part of the Bill in which the Guilds were concerned. The Burgeſſes for *Lynn* and *Coventry* diſtinguiſhed themſelves moſt upon this Occaſion. But theſe active Members were

taken

taken off by the Court-Party, upon an Assurance given, that their Guild-Lands should be restored. Thus, dropping their Opposition, the Bill passed, and the Promise is said to have been made good by the Protector. K. *Edward* VI.

'It hath been already observed these Chantry-Lands, Colleges, *&c.* had been granted to the late King, his Heirs and Successors. By the Act in the late Reign Commissioners are named for giving the King Possession; who, when they had enter'd upon any Part of the Lands within their Commission, the Statute from that Instant vests the King and his Heirs in those Estates: But, as it happen'd, the Commissioners did not enter into a great Part of the Chantry-Lands in the late King's Time, which was the Reason of making a new Act for this Purpose in the Reign before us.

'And here it may not be improper to acquaint the Reader, that the Endowment of these Chantry-Lands was for the Maintenance of one or more Priests, to pray for the Souls of their Founders. Of these Chantries and Free Chapels, there were two thousand three hundred and seventy-four. They were commonly united to some Parochial, Collegiate, or Cathedral Church. The Free Chapels, tho' design'd for the same Purpose, were independent in their Constitution, stood without being annex'd, and were better endow'd. The Colleges exceeded these last Foundations, both in the Beauty of their Building, the Number of Priests, and the Largeness of their Revenues. But now their Fate was determin'd; and to make the seizing of their Estates better understood, the Statute sets forth in the Preamble, That a great Part of the Superstition and Errors in Christian Religion has been wrought in the Minds and Estimation of Men, by reason of the Ignorance of their very true and perfect Salvation, through the Death of *Jesus Christ*; and by devising and phantasying vain Opinions of Purgatory, and Masses satisfactory to be done for them who be departed: The which Doctrine and vain Opinion, by nothing more is maintain'd and upholden, than

K. *Edward* VI. by the Abuſe of Trentals, Chantries, and other Proviſion made for the Continuance of the ſaid Blindneſs and Ignorance.

'By the Way, the Miſperſuaſion, with reſpect to the Obſervances deſign'd for thoſe deceaſed, ſeems in a great Meaſure rectified, by the *Inſtitution* and *Neceſſary Erudition* ſet forth in the late Reign. In both theſe Books Diſputes about the Pains ſuffer'd by thoſe who died under imperfect Qualifications, is forbidden; neither is the Name of Purgatory to be ſo much as mentioned. And as for praying for the Dead, it was not only Part of the Divine Service at the making of this Statute, but continued ſo in the firſt reformed Liturgy for ſome Time after.

'By the Settlement of Collegiate Churches and Chantries, there was a Proviſion made for a certain Number of poor People; and the Alms was diſtributed on the Anniverſary Day of the Founders: This Charity was ſecured by a Clauſe in the Act; and the Commiſſioners were ordered to aſſign Lands, Parcel of the Premiſſes, for the Maintenance of the Diſtribution.

'To proceed: The Act promiſes the Eſtates of theſe Foundations ſhall be converted to good and godly Uſes, in erecting Grammar-Schools, in farther augmenting the Univerſities, and better Proviſion for the Poor and Needy. But theſe Lands being moſtly ſhar'd amongſt the Courtiers, and others of the rich Laity, the Promiſe in the Preamble was in a great Meaſure impracticable. To proceed to the Body of the Statute, in which it is enacted, That all and ſingular Colleges, Free Chapels, Chantries, Hoſpitals, Fraternities, Brotherhoods, Guilds, and other Promotions, mentioned in the 37th *Henry* VIII. *cap.* 4. with all their Manſion-Houſes, Manors, Rents, Tythes, Churches, Patronages, *&c.* which were not in actual Poſſeſſion of the late King, are granted to his preſent Majeſty, his Heirs and Succeſſors, for ever. All Lands, Rents, *&c.* ſettled for the Maintenance of any Anniverſary and Obit are likewiſe given the Crown by this Statute. The Colleges in both the Univerſities, the

the Chapel of *St. George* at *Windſor*, the Colleges of *Wincheſter* and *Eaton*, together with the Cathedral Churches, are expreſly excepted, and ſecured in this Statute. However, the Chantries, Obits, and Settlements, for Lights and Lamps in any of the Cathedrals, were to fall within the Compaſs of the Act. By this Statute, the Commiſſioners are empowered to allow what Penſion they thought convenient to thoſe who were turned out of theſe Foundations. By another Clauſe, all Alienation of the Lands of Biſhoprics, Deaneries, Colleges, Archdeaconries, Prebends, *&c.* made to the Crown in the late and preſent Reign, are confirmed. K. *Edward* VI.

'And, laſtly, all Goods, Chattels, Jewels, Plate, Ornaments, and other Moveables, being the common Goods of ſuch Colleges, Free Chapels, Chantries, or ſtipendiary Prieſts, are conveyed to the King.'—Thus far Mr. *Collier*.

On the 16th of *December* another Bill was introduced for repealing of certain Statutes for Treaſon and Felony. This Bill being a Matter of great Concern to every Subject, a Committee was appointed, conſiſting of the Archbiſhop of *Canterbury*, the Lord-Chancellor, the Lord-Chamberlain, the Marquis of *Dorſet*, the Earls of *Shrewſbury* and *Southampton*, the Biſhops of *Ely*, *Lincoln*, and *Worceſter*, the Lords *Cobham*, *Clinton*, and *Wentworth*, with certain of the King's learned Counſel; all which Noblemen, *&c.* were appointed to meet a Committee of the Commons at Two o'Clock after Dinner, ſays the *Journal*, in order to treat and commune on the Purport of the ſaid Bill.

The Commons had formed another Bill for repealing theſe Statutes, which, upon ſome Conferences, they were willing to drop; only ſome Proviſoes were added to the other, from which the Biſhops of *London*, *Durham*, *Ely*, *Hereford*, and *Chicheſter*, again diſſented. The Preamble to this Statute ſets forth; 'That [d] nothing made a Government 'happier than when the Prince governed with 'much

[d] *Statutes at large*, 1 *Edward* VI. cap. xii. *Foxe's Martyrs*, Vol. II. p. 1182.

K. *Edward* VI. much Clemency, and the Subjects obeyed out of Love. Yet the late King and some of his Progenitors, being provoked by the Unruliness of some of their People, had made severe Laws; but they judging necessary now to recommend the King's Government to the Affections of the People, repealed all Laws that made any Thing to be Treason, but what was in the Act of 25 *Edward* III. as also two of the Statutes about Lollardies, together with the Act of the six Articles, and the other Acts that followed in Explanation of that. All Acts in King *Henry* the Eighth's Time, declaring any Thing to be Felony that was not so declared before, were also repealed, together with the Acts that made the King's Proclamations of equal Authority with Acts of Parliament. It was also enacted, That all who denied the King's Supremacy, or affected the Pope's in Words, should, for the first Offence, forfeit their Goods and Chattels, and suffer Imprisonment during Pleasure; for the second Offence should incur the Pain of *Præmunire*; and, for the third Offence, be attainted of Treason. But if any did, in Writing, Printing, or by any overt Act or Deed, endeavour to deprive the King of his Estate or Titles, particularly of his Supremacy, or to confer them on any other, after the first of *March* next, he was to be adjudged guilty of High Treason: And if any of the Heirs of the Crown should usurp upon another, or did endeavour to break the Succession of the Crown, it was declared High Treason in them, their Aiders and Abettors. And all were to enjoy the Benefit of Clergy, and the Privilege of Sanctuary, as they had it before King *Henry* the Eighth's Reign; excepting only such as were guilty of Murder, Poisoning, Burglary, Robbing on the High-Way, the stealing of Cattle, or stealing out of Churches or Chapels. Poisoners were to suffer as other Murderers. None were to be accused of Words but within a Month after they were spoken. And those who called the *French* King by the Title of King of *France*, were

All Acts for extending Treason beyond that of 25 *Ed.* III. repealed.

'were not to be esteemed guilty of the Pains of 'tranſlating the King's Authority or Titles to any 'other.' K. *Edward* VI.

The Repeal of all theſe Statutes opened the Door wide for Liberty of Conſcience all over *England*; and Dr. *Heyleyn* obſerves [e], all Men were now ſet at Liberty to read the Scriptures, and expound them as they pleaſed; of entertaining what Opinion in Religion beſt agreed with their Fancies, and promulgating thoſe Opinions which they entertained: But this is a Miſtake, for ſtill the Law for burning of Heretics ſubſiſted; of which Kind of Executions there were ſeveral Inſtances in this Reign.

There is one Thing more remarkable, before we conclude the Proceedings of this Seſſion; and that is, on one Day of it, when a certain Proviſion was made to the Sacrament-Bill, for taking of it in both Kinds, and ſent down from the Lords to the Commons for their Aſſent to it, the latter would not receive it, becauſe the Lords had not given their Conſent to the ſame.

And we muſt not forget to mention that, on the 29th of *November*, a Bill againſt Vagabonds was brought in; by which it was enacted, 'That all 'that ſhould any where loiter without Work, or 'without offering themſelves to Work, three Days 'together; or that ſhould run away from Work, 'and reſolve to live idly, ſhould be ſeized on; and 'whoſoever ſhould preſent them to a Juſtice of 'Peace, was to have them adjudged to be his Slaves 'for two Years; and they were to be marked with 'the Letter V, imprinted with a hot Iron on their 'Breaſt.' A great many Proviſoes follow concerning Clerks ſo convict; which ſhew, as Biſhop *Burnet* obſerves, That this Act was chiefly levelled at the idle Monks and Friers, who went about the Country, and would betake themſelves to no Employment; but, finding the People apt to have Compaſſion on them, they continued in that Courſe of Life, which was of very ill Conſequence to the State; Act relating to Vagabonds.

[e] *Hiſtory of the Reformation*, p. 48.

K. *Edward* VI. State; for these Vagrants did every where alienate the People's Minds from the Government, and persuaded them Things would never be well settled, till they were again restored to their Houses. Some of these came often to *London*, on Pretence of suing for their Pentions, but really to practise up and down thro' the Country: To prevent this, there was a Proclamation set out on the 18th of *September*, requiring them to stay in the Places where they lived, and to send up a Certificate where they were to the Court of Augmentations; who should thereupon give Order for their constant Payment. Some thought this Law against Vagabonds was too severe, and contrary to that common Liberty of which the *English* Nation has been always very sensible, both in their own and their Neighbours' Particulars: Yet it could not be denied but extreme Diseases required extreme Remedies; and perhaps there is no Punishment too severe for Persons that are in Health, and yet prefer a loitering Course of Life to an honest Employment. There followed, in the Act, many excellent Rules for providing for the truly Poor and Indigent, in the several Places where they were born, and had their Abode. Of which, the same Author still observes, that as no Nation had laid down more effectual Rules for the supplying of the Poor than *England*, so that indeed none can be in an absolute Want; yet the Neglect of these Laws is a just and great Reproach on those who are charged with the Execution of them, when such Numbers of poor Vagabonds swarm every where without the due Restraints that the Laws have appointed.'

Dec. 24. All the Bills concluded at this Session being ready for the Royal Assent, they were passed, we suppose, by the Lord-Protector, for the King was not present in the House. After which the Lord Chancellor prorogued the Parliament from that Day to the 20th of *April* next ensuing.

The Parliament prorogued.

In the Table at the End of the Proceedings of this Session, in the *Lords' Journals*, are the Titles of twenty-one Statutes then enacted; in the *Statute-Books*

Books are fifteen. But the supernumerary Acts are only on private Affairs; amongst which three concern the Restitution, in Blood, of the Lords *Stafford* and *Lumley*, and *Griffith Rice*, Gentleman. In both is mentioned that the King's general Pardon was now confirmed by Parliament, with the common Exceptions; amongst which all those who were then Prisoners in the *Tower*, and the Duke of *Norfolk*, were included. K. *Edward* VI.

At the Time limited by the Prorogation, this Parliament met again; when the Lord-Chancellor declared to them, That for certain Causes, particularly the War which then raged betwixt *England* and *Scotland*, by which several Members could not without great Danger attend, it was the King's Pleasure that this Parliament should be again prorogued from that Day to the 15th of *October* next following. And the King's Letters Patent, appointing such a Prorogation, were read accordingly.

And, on the said 15th Day of *October*, other Letters Patent were read, importing that, by reason of the Plague then reigning in the Cities of *London*, *Westminster*, and the Suburbs thereof [f], the Parliament was further prorogued to the 24th Day of *November* next ensuing.

At which Time they, being again assembled, proceeded to do Business; but nothing of any Consequence was transacted till the 21st of *December*, on which Day the Lord-Chancellor adjourned the House to the Morrow after the Feast of the Circumcision, or *January* the 2d. It is somewhat remarkable that, during this first Sitting and the second, the House was frequently adjourned, in the Absence of the Lord-Chancellor, by the Lord-Protector, and once by the Lord-Keeper, without any Commission from the King that is entered in the *Journals* for that Purpose. They meet again Anno Regni 2, 1548.

January

[f] ——*et præcipue propter Infectionem Aeris pestiferis ubiq; per Civitates nostras* London. Westmon. *et Suburbis earum, ad præsens invalescentem*, &c. *Journal. Procer.* An. 2. *Edward* VI.

This Plague was the Sweating Sickness, which then raged in and about *London*, insomuch that near one thousand died of it in a Week's Time. *Stowe*, *Speed*, &c.

K. *Edward* VI. *January* 15. Was read in the Houſe for the third Time, and paſſed, the Bill for an Uniformity of Service and Adminiſtration of Sacraments to be had throughout the Realm. But it was not concluded with the Aſſent of the following Lords, for they are put down as againſt it: The Earl of *Derby*, the Biſhops of *London*, *Durham*, *Norwich*, *Carliſle*, *Hereford*, *Worceſter*, *Weſtminſter*, and *Chicheſter*, with the Lords *Dacres* and *Windſor*. The Preamble of the Act ſets forth, 'That there had been 'ſeveral Forms of Service, and that of late there 'had been great Difference in the Adminiſtration 'of the Sacraments, and other Parts of Divine 'Worſhip: And that the moſt effectual Endeavours could not ſtop the Inclinations of many to 'depart from the former Cuſtoms; which the 'King had not puniſhed, believing they flowed 'from a good Zeal. But that there might be an 'uniform Way over all the Kingdom, the King, 'by the Advice of the Lord Protector and his 'Council, had appointed the Archbiſhop of *Canterbury*, with other learned and diſcreet Biſhops 'and Divines, to draw up an Order of Divine Worſhip, having Reſpect to the pure Religion of '*Chriſt* taught in the Scripture, and to the Practice 'of the Primitive Church, which they, by the Aid 'of the Holy Ghoſt, had with one uniform Agreement concluded on; wherefore the Parliament 'having conſidered the Book, and the Things that 'were altered or retained in it, they gave their moſt 'humble Thanks to the King for his Care about 'it; and did pray that all who had formerly 'offended in theſe Matters, except ſuch as were 'in the Tower of *London*, or the Priſon of the 'Fleet, ſhould be pardoned: And did enact, That, 'from the Feaſt of *Whitſunday* next, all Divine 'Offices ſhould be performed according to it; and 'that ſuch of the Clergy as ſhould refuſe to do it, 'or continue to officiate in any other Manner, 'ſhould, upon the firſt Conviction, be impriſoned 'ſix Months, and forfeit a Year's Profit of their 'Benefice: For the ſecond Offence, forfeit all their 'Church

Act for Uniformity in Religion.

‘ Church Preferments, and ſuffer a Year's Impri- K. *Edward* VI.
‘ ſonment: And, for the third Offence, ſhould be
‘ impriſoned during Life. And all that ſhould
‘ write, or put out Things in Print againſt it, or
‘ threaten any Clergymen for uſing it, were to be
‘ fined 10 *l.* for the firſt Offence; 20 *l.* for the ſecond;
‘ and to forfeit all their Goods, and be impriſoned
‘ for Life, upon a third Offence: Only at the
‘ Univerſities they might uſe it in *Latin* and *Greek*,
‘ excepting the Office of the Communion. It was
‘ alſo lawful to uſe other Pſalms or Prayers taken
‘ out of the Bible, ſo theſe in the Book were not
‘ omitted.’ This Act was variouſly cenſured by thoſe who diſliked it. Some thought it too much that it was ſaid the Book was drawn *by the Aid of the Holy Ghoſt*. But others ſaid this was not to be ſo underſtood, as if they had been inſpired by extraordinary Aſſiſtance, for then there had been no Room for any Correction of what was now done; and therefore it was only to be underſtood in that Senſe, as all good Motions and Conſultations are directed or aſſiſted by the ſecret Influences of God's Holy Spirit; which do oft help good Men, even in their imperfect Actions, where the Good that is done is juſtly aſcribed to the Grace of God. Others cenſured it, becauſe it was ſaid to be done by uniform Agreement, though four of the Biſhops that were employed in the drawing of it, proteſted againſt it. Theſe were the Biſhops of *Norwich*, *Hereford*, *Chicheſter*, and *Weſtminſter*; but theſe had agreed in the main Parts of the Work, though in ſome few Particulars they were not ſatisfied, which made them diſſent from the whole [g].’

One Thing muſt not be omitted; that whilſt this Bill of Common Prayer was debating in the Houſe of Commons, one *Storey*, a Member, ſpoke ſo ſharply againſt it, and was ſo free of his Reflections on the King and the Protector, that he was put into the Serjeant's Hands, and ſent to the *Tower*. The

[g] The King, in his Journal, ſays this Bill on the Sacrament occaſioned a notable Diſputation in the Parliament Houſe. *Burnet*, Vol. II. in *Appendice*.

K. *Edward* VI. The Words he ſpoke from were theſe, *Wo unto thee, O* England, *when thy King is a Child.* An Impeachment was actually drawn up againſt him for it; but, upon his humble Submiſſion, the Houſe ordered the Privy Counſellors to acquaint the Protector, that it was their Reſolution he ſhould be diſcharged; and they deſired the King would forgive his Offence againſt him and the Council.

Another, allowing Prieſts to marry, The next was a Bill for the Marriage of Prieſts, which paſſed both Houſes on the 19th of *February*; amongſt the Peers the Biſhops of *London*, *Durham*, *Norwich*, *Carliſle*, *Worceſter*, *Briſtol*, *Chicheſter*, and *Landaff*, with the Lords *Morley*, *Dacres*, *Windſor*, and *Wharton*, diſſenting. The Preamble of this Act declares,

'That it were better for Prieſts and the Miniſters of the Church to live chaſte and without 'Marriage; whereby they might better attend to 'the Miniſtry of the Goſpel, and be leſs diſtracted 'with Secular Cares; ſo that it were much to be 'wiſhed, that they would of themſelves abſtain: 'But great Filthineſs of living, with other Inconveniences, had followed on the Laws that compelled Chaſtity, and prohibited Marriage; ſo that 'it was better they ſhould be ſuffered to marry than 'be ſo reſtrained; therefore all Laws and Canons 'that had been made againſt it, being only made 'by human Authority, are repealed: So that all 'Spiritual Perſons, of what Degree ſoever, might 'lawfully marry, provided they married according 'to the Order of the Church. But a Proviſo was 'added, That becauſe many Divorces of Prieſts 'had been made after the ſix Articles were enacted, 'and that the Women might have thereupon married again, all theſe Divorces, with every Thing 'that had followed on them ſhould be confirmed.'

Biſhop *Burnet* obſerves, That there was no Law that paſſed in this Reign more contradicted and cenſured than this; and has taken great Pains to prove the Validity of it, from Scripture and the Fathers [h]. He

[h] *Reformation*, Vol. II. p. 89 to 93. See alſo *Heylin*, p. 67, &c. *Foxe's Martyrs*, Vol. II. p. 1184.

He hath also thoroughly examined the Vows and other Reasons against it; and, in fine, hath endeavoured to convince the World, that there is much more Chastity in a married than an unmarried Priest. His Conduct shewed that he himself was thoroughly satisfied in this Matter, having married no less than three Wives to preserve his own Chastity. K. *Edward* VI.

Two other Acts passed this Session, which Dr. *Heylin* says were exceeding necessary for the Preservation of the Church's Patrimony, then near dissipated.

The first was made for the Encouragement and Support of the Parochial Clergy, in the true Payment of their Tythes, lately invaded by their Patrons, and otherwise in Danger to be lost for ever, by the Avariciousness of the Parishioners, as before was said: For Remedy whereof it was enacted, 'That no Person or Persons should, from thence-forth, take or carry away any Tythe or Tythes, which had been recieved, or paid, within forty Years next before the Date thereof, or of Right ought to have been paid, in the Place or Places tytheable in the same, before he hath justly divided or set forth the Tythe thereof, the tenth Part of the same, or otherwise agree for the same Tythes, with the Parson, Vicar, or other Owner, Proprietor, or Farmer of the same, under the Pain or Forfeiture of the treble Value of the Tythes so taken or carried away.' To which a Clause was also added, enabling the said Parson, Vicars, *&c.* to enter upon any Man's Land for the due setting of his Tythes, and carrying away the same without Molestation; with other Clauses no less beneficial to the injured Clergy. And because the Revenue of the Clergy had been much diminished by the Loss of such Offerings and Oblations as had been accustomably made at the Shrines of certain Images, now either defaced or removed, it was thought meet to make them some Amends in another Way: And thereupon it was enacted, 'That every Person exercising Merchandizes, Bargaining and Selling, Cloathing, Handicraft, and

And for better supporting the Parochial Clergy

K. *Edward* VI. ‘ and other Art and Faculty, being such Kind of ‘ Persons, and in such Places as heretofore, within ‘ the Space of forty Years then before passed, have ‘ accustomably used to pay such personal Tythes, ‘ or of Right ought to pay, (other than such as the ‘ common Day-Labourers) shall yearly, at or be- ‘ fore the Feast of *Easter*, pay, for his personal ‘ Tythes, the tenth Part of his clear Gains; his ‘ Charges and Expences, according to his Estate ‘ and Condition, or Degree, to be there allowed, ‘ abated, and deducted; with a Proviso for some ‘ Remedy to be had therein before the Ordinary, in ‘ the Case of Tergiversation, or Refusal.’ But the Power of the Bishops and other Ordinaries growing less and less, and little or no Execution following in that Behalf, this last Clause proved of little Benefit to those whom it most concerned; who, living for the most Part in Market-Towns, and having no Predial Tythes to trust to, are thereby in a far worse Condition than the rural Clergy.

And now that we have done with the most material Religious Acts which passed this Session, we shall go on to others.

Proceedings on the Attainder of *Thomas* Lord *Seymour*.

Feb. 25. A Bill was brought into the House of Lords for the Attainder of Sir *Thomas Seymour*, Knt. Lord *Seymour* of *Sudley*, Lord-High-Admiral of *England*, own Uncle to the King, and Brother to the Lord-Protector. It was read a second and a third Time on the next Day, and the Day following; but, before it passed the Lords, ‘ it was thought ‘ good, says the *Journal*, to send down certain Mi- ‘ nisters of the Upper House, to declare unto the ‘ Members of the Nether House, the Manner after ‘ which the Lords had proceeded in this Matter; ‘ and to declare unto them also, that if they minded ‘ to proceed in like Sort, certain Noblemen who ‘ had given Evidence against the said Admiral, ‘ should be sent unto them to declare, by Mouth ‘ and Presence, such Matter as by their Writing ‘ should in the mean Time appear before them.’ After which follows this *Memorandum*, ‘ That it ‘ appears

'appears by the *Journal-Book*, as well this Day, as K. *Edward* VI.
'at every ſeveral reading of the Bill for the Attainder
'of the Lord *Thomas Seymour*, Lord Admiral, that
'the Lord-Protector, his Brother, was preſent.'

March 2. Another Article is entered on the *Journal*, relating to the aforeſaid Bill, in theſe Words, 'This Day were ſent down the Maſter of 'the Rolls, Sir *James Hales*, and Serjeant *Molli-* 'neux, with like Commiſſion, in Effect, as was ſent 'down the *Wedneſday* before. Anſwer was made, 'That they would conſult together, and there- 'upon they would with Speed ſend up their Re- 'ſolution; but no Haſte having been made therein 'by them of the Nether Houſe, and the Lords ha- 'ving ſat ſo long as they thought the Time very 'far ſpent, they concluded to depart; deſiring the 'Lord-Protector that it would pleaſe him to receive 'ſuch Anſwer as ſhould be ſent, touching this 'Matter, from the Nether Houſe; and to make 'Report thereof at the next Aſſembly, which 'ſhould be on *Monday* next.' But tho' we find that the Protector was preſent on that Day, yet no Meſſage from the Commons is entered; and we are only told, that, on *March* the 5th, the Bill for the Attainder of the Lord-Admiral was ſent up, amongſt others, as paſſed by that Houſe.

But, by the *Journals* of the Houſe of Commons, it appears that this Bill was read there the laſt Day of *February* for the firſt Time; again on the firſt of *March*; and that, *March* 2, the Maſter of the Rolls, Serjeant *Mollineux*, Serjeant *Hales*, and the King's Sollicitor, were ſent from the Lords to know the Pleaſure of the Houſe, if it ſhould be reſolved there to paſs upon the Attainder of the Admiral in ſuch Order as was paſſed in the Higher Houſe. Hereupon it was ordered that Advertiſement thereof ſhould be ſent to the Lords by ſome of that Houſe. Then it was reſolved that the Evidence ſhould be heard orderly, as it was before the Lords; and alſo to require that the Lords who affirmed that Evidence, might come hither and declare it *viva Voce*. And this to be delivered to the Lord-Protector, by Mr. Speaker,

K. *Edward* VI. Speaker, and other the King's Privy Council in that Houſe.

March 4. The Maſter of the Rolls, *&c.* declared the King's Pleaſure to be, That the Admiral's Preſence was not neceſſary in this Court; and therefore he need not to be there. And further declared, That if the Houſe required to have the Lords to come, and to ſatisfy them for the Evidence againſt the Admiral, the Lords would come. Then it was ordered, That Mr. Comptroller, and others of the King's Privy Council, ſhould hear the Lords, and require, That if it were judged neceſſary to have the Lords come, that upon any further Suit they might come down to their Houſe. The ſame Day the Bill for the Attainder of Sir *Thomas Seymour*, Lord *Sudley*, was read a third Time; and, as *Rapin* informs us, tho' we know not from what Authority, the Bill paſſed in a full Houſe of four hundred; not above ten or twelve voting in the Negative [i].

We have now given what is ſaid, in both the *Journals*, on this extraordinary Affair; where the Blood of ſo great a Perſon as the Lord-Admiral, and ſo nearly related to the Crown, is concerned. We ſhall next ſubjoin the Accounts which Hiſtorians give relating to it, in order to explain, as far as poſſible, the Springs and Motions which ſet this great Machine at Work, which, in the End, wrought the Downfall of both the Brethren. And, firſt, Sir *John Hayward*, the particular Writer of this King's Life, claims the Preference.

Different Sentiments thereon.

'The King had two Uncles, Brothers to Queen *Jane* his deceaſed Mother, *Edward* Duke of *Somerſet*, Lord-Protector, and *Thomas* Lord *Seymour*, Baron of *Sudley*, High-Admiral of *England*. As the Duke was elder in Years, ſo was he more ſtaid in Behaviour. The Lord *Sudley* was fierce in Courage, courtly in Faſhion, in Perſonage ſtately, in Voice magnificent, but ſomewhat empty of Matter: Both were ſo faithfully affected to the King, that the one might well be termed his Sword, and the other

[i] *Hiſtory of England*, Vol. II. p. 14.

other his Target. The Duke was greateſt in Favour with the People, the Lord *Sudley* moſt reſpected by the Nobility; both highly eſteemed by the King; both fortunate alike in their Advancements; both ruined alike by their own Vanity and Folly. Whilſt theſe two Brothers held in Amity, they were like two Arms, the one defending the other, and both of them the King: But many Things did move together to diſſolve their Love, and bring them to Ruin; firſt, Their contrary Diſpoſitions, the one being tractable and mild, the other ſtiff and impatient of a Superior; whereby they lived but in cunning Concord, as Brothers glewed together, but not united in Grain: Then much ſecret Envy was borne againſt them, for that their new Luſtre did dim the Light of Men honoured with antient Nobility. Laſtly, They were openly minded, haſty and ſoon moved, alſo uncircumſpect and eaſy to be cheated By theſe the Knot, not only of Love but of Nature, between them was diſſolved; ſo much the more Pity, for that the firſt Cauſe proceeded from the Pride, the haughty Hate, the unquiet Vanity of a manniſh or rather a deviliſh Woman: For the Lord *Sudley* had taken to Wife *Katherine Parre*, Queen Dowager, laſt Wife to King *Henry* VIII. a Woman beautified with many excellent Virtues, eſpecially with Humility, the Beauty of all other Virtues. The Duke had taken to Wife *Anne Stanhope*, a Woman for many Imperfections intolerable, but for Pride monſtrous: She was exceedingly ſubtle and violent in accompliſhing her Ends, for which ſhe ſpurned over all Reſpects both of Conſcience and of Shame. This Woman did bear ſuch invincible Hate, firſt againſt the Queen Dowager, for light Cauſes and Women's Quarrels, eſpecially for that ſhe had Precedency of Place before her, being Wife to the greateſt Peer in the Land, then to the Lord *Sudley* for her Sake; that albeit the Queen Dowager died by Child-Birth, yet would not her Malice either die or decreaſe; but continually ſhe rubbed into the Duke's dull Capacity, that the Lord *Sudley* diſſenting from him in Opinion of

K. *Edward* VI.

K. *Edward* VI. Religion, ſought nothing more than to take away his Life; as well in regard of the common Cauſe of Religion, as thereby happly to attain his Place. Many other Things ſhe boldly feigned, being aſſured of eaſy Belief in her heedleſs Hearer, always fearful and ſuſpicious, as of feeble Spirit, but now more than ever, by reaſon of ſome late Oppoſition againſt him. Her Perſuaſions ſhe cunningly intermixed with Tears, affirming, That ſhe would depart from him, as willing rather to hear both of his Diſgraces and Dangers, than either to ſee the one or participate of the other.

'The Duke embracing this Woman's Counſel, (a Woman's Counſel indeed, and nothing the better) yielded himſelf both to adviſe and deviſe for the Deſtruction of his Brother. The Earl of *Warwick* had his Finger in the Buſineſs, and drew others alſo to give either Furtherance or Way to her violent Deſires; being well content ſhe ſhould have her Mind, ſo as the Duke might thereby incur Infamy and Hate. Hereupon the Lord *Sudley* was arreſted and ſent to the *Tower*, and in a very ſhort Time after condemned by Act of Parliament; and, within a few Days after his Condemnation, a Warrant was ſent under the Hand of his Brother the Duke, whereby his Head was delivered to the Axe. His own fierce Courage haſtened his Death, becauſe, equally balanced between Doubt and Diſdain, he was deſirous rather to die at once, than to linger long upon Courteſy, and in Fear.

'The Accuſation againſt him contained much frivolous Matter, or term them pitiful, if you pleaſe. The Act of Parliament expreſſes theſe Cauſes of his Attainder: For attempting to get into his Cuſtody the Perſon of the King and Government of the Realm; for making much Proviſion of Money and Victuals; for endeavouring to marry the Lady *Elizabeth*, the King's Siſter; for perſuading the King, in his tender Age, to take upon him the Rule and Order of himſelf. The Proofs might eaſily be made, becauſe he was never called to his Anſwer: But as well the Proteſtations at the Point of his Death,

Death, as the open Course and Carriage of his Life, cleared him in Opinion of many. So doubtful are all weighty Matters, whilst some take all they hear for certain, others making Question of any Truths, Posterity enlarging both. Dr. *Latimer*, pretending all the Gravity and Sincerity of a professed Divine, yet content to be serviceable to great Men's Ends, declared in a Sermon before the King, that, whilst the Lord *Sudley* was a Prisoner in the *Tower*, he wrote to the Lady *Mary* and the Lady *Elizabeth*, the King's Sisters, that they should revenge his Death; which indeed the Lady *Mary* afterwards more truly did, by executing the Earl of *Warwick*, than either she was, or at that Time could in particular be required. Many other Imputations he cast forth besides; most doubted, many known to be untrue: And so whereas *Papinian*, a Civil Lawyer, but a Heathen, chose rather to die than to defend the Murder which the Emperor *Caracalla* had done upon his Brother *Geta*, some Theologians have been employed to defile Places erected only for Religion and Truth, by defending Oppressions and Factions, staining their Professions and the good Arts which they had learned, by publishing odious Untruths upon Report and Credit of others.' K. *Edward* VI.

The Annotator on this Author, in *Kennet*'s History of *England*, who signs himself *J. S.* has taken a great deal of Pains to wipe off the Aspersions here laid on the Duke of *Somerset*; and asserts, That the Story of the Female Quarrel is untrue, and taken from *Sanders*'s History of the *English* Schism, a virulent Writer against the *Reformation*. He has endeavoured also to vindicate the Protector, in his Behaviour towards his Brother, before and at the Time when the Bill of Attainder was depending. He calls him an evil Man, turbulent, and of ambitious Designs from the Beginning of the King's Reign: That he raised Soldiers, and threatned *that he would make the blackest Parliament that ever was in* England: That he was suspected to have poisoned his Wife, that excellent Woman, Queen *Katherine*; that, being single, he might make his Ad-

K. *Edward* VI. dreſs to the Lady *Elizabeth*, the King's Siſter, and one of the Heirs to the Crown. And adds, That ſurely Sir *John Hayward* had never read the Act of Parliament whereby that Lord was attainted, to term his Accuſations to be frivolous and pitiful Matters. He goes on, and quotes from *Burnet*'s *Hiſtory of the Reformation*; who, he adds, hath exemplified, from the *Council-Book*, the Articles againſt him to the Number of thirty-three, which will ſhew what heavy Crimes were laid to his Charge; and which, although he was urged by the Lords of the Council, upon his Allegiance, to make Anſwer to, he would not be perſuaded to do it; till, at laſt, he made ſome Anſwer to the three firſt, but no more; nor would he ſet his Hand to them.

The Reader may judge of theſe contrary Accounts as he pleaſes; or if he is deſirous to read the whole Affair, he may conſult Biſhop *Burnet*, who is very copious about it: We ſhall only obſerve that, by the *Journals*, it appears that the Duke of *Somerſet*, as Protector, ſat in the Houſe of Peers every Day whilſt the Bill of Attainder againſt his own Brother was depending; and no doubt voted in this Caſe of Blood. From whence we may infer, that the Proſecution was but too pleaſing to him; ſince he might have been well excuſed from ſuch an Attendance on the Fate of ſo near a Relation, as well as ſigning a Warrant for his Execution.

is beheaded. On the 20th of *March* the Admiral was beheaded; but it was amply returned upon the Protector in a ſhort Space after, and, as *Grafton* obſerves [k], the Fall of one Brother proved the Overthrow of the other [l].

To

[k] *Hiſtory of England. Sub hoc Anno.*

[l] *Heylin* draws up a ſhort Parallel between the two Brothers. The Admiral was a Man of Addreſs, well made, and brave in his Perſon; but not without an Allay of Haughtineſs and Ambition. The Duke was of a more mild and condeſcentive Temper, more ſuſceptible of Impreſſions, and open in diſcovering his Mind. The Hiſtorian concludes; if their good Qualities had been joined, and their Defects diſcharged, they would both have made an admirable Man. *Hiſtory of the Reformation*, p. 245.

To go on with the *Journals*. K. *Edward* VI.

On the 12th of *March* was expedited the Bill for granting a Subsidy from the Temporality to the King's Majesty. This, as the Act expresses it [m], was a Relief out of Sheep, Cloths, Goods, Debts, &c. to be paid in three Years. The Clergy granted 6 *d.* in the Pound to be paid also in three Years. In the Preamble to their Bill they acknowledged the great Quietness they enjoyed under the King, having no Let nor Impediment in the Service of God. But the Laity set out their Subsidy with a much fuller Preamble 'of the great Happiness they 'had by the true Religion of *Christ*; declaring that 'they were ready to forsake all Things rather than '*Christ*; as also to assist the King in the Conquest 'of *Scotland*, which they call a Part of his Domi-'nion; therefore they gave 12 *d.* in the Pound on 'all Men's Personal Estates, to be paid in three 'Years.' A Subsidy;

The next Day was read the third Time, and passed, a Bill for a general Pardon granted by the King. And a general Pardon.

And, on the 13th *ibidem*, the King being present in the House, all the Great Officers of State, two Marquisses, eight Earls, 17 Bishops, and 17 Barons, the Bills all obtained the Royal Assent. After which his Majesty, in Person, prorogued this Parment again to the 4th Day of *November* next ensuing.

There are the Titles of no less than sixty Acts, passed this Session, in the *Lords' Journals*; in the printed Book of *Statutes*, only thirty-nine. One Sir *William Sherrington*, Knt. was indicted and attainted, by Confession, of High Treason, for counterfeiting of *Testons* to the Value of 12,000 *l.* [n] Several Acts also passed for Restitution in Blood of Sir *George Darcey* and Sir *Ralph Bulmer*, Knts. *Henry Weston*, *Ralph Bigod*, *Edward Carleton*, *Thomas Percy*, Esqrs. and *Francis Carew*, Gent. who themselves, or their Ancestors, had been attainted

[m] *Statutes at large*, Anno 2 & 3 *Edward* VI. cap. xxxvi.

[n] He was looked upon as an Accomplice with the Lord-Admiral. *Burnet*.

K. *Edward* VI. tainted for Rebellion in the laſt Reign. But we muſt not omit another Act, which was paſſed this Seſſion, againſt eating Fleſh in *Lent*: In the Preamble of which it is ſaid, 'That tho' it is clear, 'by the Word of God, that there is no Day, nor 'Kind of Meat, purer than another, but that all 'are in themſelves alike; yet many, out of Sen-'ſuality, had contemned ſuch Abſtinence as had 'been formerly uſed; and ſince Abſtinence was a 'Means to Virtue, and to ſubdue Men's Bodies to 'their Soul and Spirit, and was alſo neceſſary to 'encourage the Trade of Fiſhing, and for ſaving 'of Fleſh; therefore all former Laws about Faſt-'ing and Abſtinence were to be, after the firſt of '*May*, repealed; and it was enacted, That, from 'the firſt of *May*, none ſhould eat Fleſh on *Fri-'days*, *Saturdays*, *Ember-Days*, in *Lent*, or any 'other Days that ſhould be declared Fiſh-Days, 'under ſeveral Penalties. A Proviſo was added 'for excepting ſuch as ſhould obtain the King's 'Licence, or were ſick and weak; and that none 'ſhould be indicted but within three Months after 'the Offence.'

Act againſt eating Fleſh in *Lent*, &c.

And, laſtly, we ſhall conclude our Account of the Proceedings of this Seſſion in the Words of another Eccleſiaſtical Writer [o], though it is on a quite different Affair, but perhaps more conducive to the Public Good than any of the former.

'There was one Thing debated in this Parliament, which may deſerve to be here related: For the pacifying of the People, and making the Condition of the Poor eaſier againſt Grazers and Gentlemen, who incloſed Commons, and neglected Tillage, *John Hale* (that had been lately in a Commiſſion to inquire into Incloſures, and then ſaw and pitied the Oppreſſion of the poor Country People) deviſed three Bills to be put into Parliament, unto which he firſt made many wiſe Men privy. The one was for the re-edifying of Houſes decayed, and for the Maintenance of Tillage and Huſbandry; another, againſt regrating of Victuals and other Things,

Bills for Relief of the Poor;

[o] *Strype's Eccleſiaſt. Memor.* Vol. II. p. 134.

Things, wherein one principal Point was, That neither Graziers nor none elſe ſhould buy any Cattle, and ſell the ſame again within a certain Time: For as the ſaid *Hales* had learned, and knew of Certainty, divers Graziers and Sheep-Maſters brought both Cattle and Money to the Market, and, if they could not ſell their own as dear as they liſted, they carried them home again, and bought all the reſt. Theſe two Bills were firſt put to the Lords. The firſt, being read, was not liked. The ſecond they allowed and augmented, and ſent down to the Lower Houſe; where it was ſo debated and toſſed up and down, and at laſt committed to ſuch Men, and there ſo much deferred, that Men's Affections might there have been notably diſcovered. And perhaps, ſaid *Hales*, (relating this Matter in a Writing of his) he that had ſeen all this would have ſaid, That the Lamb had been committed to the Wolfe's Cuſtody. The third Bill was ſet forth firſt in the Lower Houſe, and tended to this End, That every Man that kept, in ſeveral Paſtures, Sheep or Beaſts, ſhould keep, for every hundred Sheep that he had above Sixſcore, two Kine; and for every of theſe two Kine ſhould rear one Calf; and for every two Kine that he kept beſide, more than ten, he ſhould rear one Calf. By this Means he thought and believed that the Nation ſhould not only have Plenty of Beaſts, whereof there was wonderful great Decay, but alſo thereby the Markets ſhould be repleniſhed with Milk, Butter, and Cheeſe, the common and principal Suſtenance of the Poor. The ſaid *Hales* has ſuch an Opinion of this Bill, that he durſt have laid his Life on it that, if it had proceeded, there would have been, within five Years after the Execution thereof, ſuch Plenty of Victuals, and ſo good and cheap, as never was in *England*; and beſides a great many good Things enſue, very neceſſary and profitable for the Commonwealth of the Country, which neither by the Execution of the late Commiſſion, nor yet by any poſitive Law then in Being, could be holden. But, ſays *Hales*, *Demetrius* and his Fellows ſoon ſpied whereunto this

K. *Edward* VI.

K. *Edward* VI. this Thing tended. There was then, *Hold with me, and I will hold with thee.* Some alledged the Opinion of their Fathers in Time paſt (but theſe had been great Sheep-Maſters); who, when the like Bill had been propounded, would never conſent unto it; but ſaid that, when any Scarcity of Cattle Which miſcarry. was, a Proclamation was made that no Calves ſhould be killed for a Time. Some alledged that Men then eat more Fleſh than they did in Time paſt; and that in *Lent*, and other faſting Days heretofore, the People eat neither Butter, Milk, nor Cheeſe, and would have them do ſo again for Policy Sake. And thus theſe rich Incloſers got the better of theſe good Bills intended for the Benefit of the Poor.'

Anno Regni 3. 1549. On the Day appointed by the laſt Prorogation the ſame Parliament met again, which was *Nov.* 4, in the third Year of this Reign: And the firſt Thing we find that the Houſe of Lords went upon, was to bring in a Bill againſt the ſpreading of falſe and vain Prophecies againſt the King or his Council, Act relating to Riots, &c. ſince by ſuch Means the People were diſpoſed to Sedition. For the firſt Offence, it was to be puniſhed by a Year's Impriſonment, and 10 *l.* Fine; for the next, it was Impriſonment during Life, with the Forfeiture of Goods and Chattels. Alſo another againſt the riſing of the common People into unlawful Aſſemblies, by which much Miſchief had been done lately in the Kingdom. By this it was enacted, That if any, to the Number of twelve, ſhould meet together unlawfully for any Matter of State, and continue for the Space of an Hour, and, being required by any lawful Magiſtrate, ſhould not diſperſe themſelves, it ſhould be Treaſon. Biſhop *Burnet* calls this a *ſevere Law*; but it is the Model of our preſent Riot Act. It was made Felony alſo to gather the People together without Warrant, by ringing of Bells, Sound of Drum or Trumpet, or firing of Beacons: And if any one broke Hedges, or violently pulled up Pales, about Incloſures, without lawful Authority, it ſhould be Felony. All theſe Laws were made on Account of the

the Tumults the last Year, which spread into almost every County of *England*, and are the Subject of some Pages of our larger Historians [p]. Amongst whom *Grafton* observes that the Protector fell, by these Acts, two Years after, though they were noways intended so against him. K. *Edward* VI.

November 14. After both the aforesaid Bills were read a third Time in the House, all the Bishops joined to a Complaint to the Lords, 'That 'they were much despised by the common People; 'that Vice and Disorder much abounded, and that 'they durst not punish any Sin, by reason that some 'late Proclamations had almost totally deprived 'them of any Jurisdiction; so that they could not 'oblige any Person to appear before them, or ob-'serve the Orders of the Church.' This Complaint was heard, not without much Concern [q], by the rest of the Lords; and that they might put a speedy Stop to this Evil, the Prelates were desired to draw some Form of a Statute for that Purpose.

On the 18th a Bill was brought into the House, and read once, but rejected; because, by it, the Bishops seemed to arrogate too much Power to themselves; therefore it was thought adviseable to appoint some prudent Persons, of each Order, after mature Deliberation on the Point, to draw up a second Bill; and the Archbishop of *Canterbury*, the Marquis of *Dorset*, the Bishops of *Durham*, *Ely*, *Litchfield* and *Coventry*; the Lords *Wharton*, and *Stafford*, to whom were joined the Lord *Monteagle*, Lord Chief Justice of the Common Pleas, the Lord Chief Baron, the King's Attorney and Sollicitor-General, were appointed a Committee for that Purpose. But, to make short of this Business, tho' the Lords passed a second Bill for the due Execution of Ecclesiastical Laws, one Clause of which was, That no Person should be employed in them but who had been a Student for some Years in an University; yet it was laid aside by the Commons, after

A Bill for enforcing the Ecclesiastical Laws, passed by the Lords; but dropt by the Commons.

[p] See *Holling shead*'s *Chron.* Sub *Anno* 1549.

[q] *Hæc Querela ab omnibus Proceribus non sine Mœrore audita est*, Journal Procerum.

K. *Edward* VI. after a second Reading in that House. They thought it better, says Bishop *Burnet* [r], to renew the Design that was in the former Reign, of thirty-two Persons being authorised to compile a Body of Ecclesiastical Laws; and these, being nothing contrary to the Common and Statute Laws of the Land, should be published by the King's Warrant, under the Great Seal, and have the Force of Laws in the Ecclesiastical Courts [s]. The Effect which this Ordinance had will appear in the Sequel.

It is to be observed that this Parliament sat every Day during the *Christmas* Holidays, except on the Great Festival; which Thing, as it is new, we may imagine some Matter of Moment was in Agitation. Accordingly, on the 2d Day of *January*, the *Journal* informs us that the grand Affair of the Duke of *Somerset*'s came before them introduced in this Manner:

Proceedings against the Duke of *Somerset*.

'That as the said Duke, for divers great Crimes, committed against the King and Kingdom, had, on the 14th of *October* last, been thrown into Prison, this Day a Bill was read in the House, in which were contained twenty-nine Articles against him; all and singular of which the said Duke had signed with his own Hand, and had humbly cast himself upon his Majesty's Judgment and Will: Which voluntary Confession, confirmed by his subscribing it, they all made no Doubt of; nevertheless, considering how easily precipitate Judgments may be drawn into Precedents, they thought proper, from their Body, to send two Earls, two Barons, and four Bishops, to learn from his own Mouth, whether the said Duke signed the said Articles voluntarily, or by Compulsion. And the Earls of *Westmoreland* and *Bath*, the Bishops of *Lichfield*, *Hereford*, *Worcester*, and *Westminster*, the Barons *Cob-*

[r] *Burnet*'s *Reformation*, Vol. II. p. 141.

[s] These Religious Articles were, some Time after, compiled and made a Body of Laws. They were first printed in 1571, and again in 1640, under the Title of *Reformatio Legum Ecclesiasticarum*. The Names of the Commissioners may be seen in King *Edward* the Sixth's *Journal*, printed in Bishop *Burnet*'s Appendix to his 2d Vol. p. 46.

'*Cobham* and *Morley*, were named for that Pur- K. *Edward* VI.
'pose.'

On the next Day the said Lords Commissioners informed the whole House, that they had been with the said Duke, and that he had acknowledged to them the Signing of the said Articles, and confessed all the Crimes and Errors contained in them. And, besides, he returned his most hearty Thanks to the House for their great Humanity in sending such an honourable Embassy to him.

Bishop *Burnet* writes, from the *Council-Book*, that the Duke had made his Confession, on his Knees, before the King and Council, and signed it on the 13th of *December* last. He protested that his Offence had flowed from Rashness and Indiscretion, rather than Malice, and that he had no treasonable Design against the King or his Realms. So he was fined, by Act of Parliament, in 2000 *l.* a Year in Land, and the Forfeit of all his Goods and Offices, which were Earl Marshal, Lord Treasurer, and Lord Protector. But his Carriage after this appeared so meek and humble, that the King was prevailed upon to pardon him for that Time; and, some Time after, to make him again one of his Privy Council.

On the first Day of *February* the King came to the House, and, after giving the Royal Assent to the Bills, he prorogued the Parliament to the 21st of *April* next following.

The *Journals* of the Lords give us the Titles of thirty-one Acts that were passed this Session; the *Statute-Books*, only twenty-four; the most remarkable of which, not already mentioned, are these:

In Religious Affairs there was a Bill brought into the House of Lords, for the repealing of a Branch of the Act of Uniformity; but it went no farther than one Reading. There was also a Bill brought into the House of Commons, that the preaching up and holding some Opinions should be deemed Felony; it passed with them, but was laid aside by the Lords. But another Bill, for a Form in ordaining

K. *Edward* VI. ing Miniſters, paſſed both Houſes [t], tho' in the Upper Houſe the Biſhops of *Durham*, *Carliſle*, *Worceſter*, *Chicheſter*, and *Weſtminſter*, proteſted againſt it. An Act was paſſed alſo in this Seſſion, by which it was declared, That all Books uſed in Churches, ſuch as *Antiphonales*, *Miſſals*, *Grayles*, *Proceſſionals*, *Manuals*, *Legends*, *Pies*, *Portuaſſes*, *Journals*, *Couchers*, and *Ordinals*, after the Uſe of *Sarum*, *Lincoln*, *York*, or any other private Uſe, ſhould be deſtroyed: And all thoſe who had any Image, that did belong to any Church or Chapel, were required to deface it before the laſt Day of *June*: And in all Primers, in *Latin* or *Engliſh*, ſet out by the late King, the Prayers to the Saints were to be obliterated. But the Earl of *Derby*, the Biſhops of *Durham*, *Litchfield* and *Coventry*, *Carliſle*, *Worceſter*, *Weſtminſter*, and *Chicheſter*, with the Lords *Stourton*, *Morley*, *Windſor*, and *Wharton*, proteſted againſt this Act. By Virtue of the afore-mentioned Statute, Viſitors were appointed to viſit the Churches in *London*; and all the Images, at St. *Paul*'s and the other Churches in the City, were taken down and broke in Pieces; which Example was afterwards followed through all the other Churches in *England* [u]: By which a great many beautiful out-ſide Fronts, in our Cathedrals, &c. were much deformed; the Pedeſtals and Niches ever ſince left bare and naked, the Images being almoſt all deſtroyed at this Time. This Piece of Anti-Idolatry may be thought by ſome as blameable as the Worſhip of Images; and a *Papiſt* would not ſtick to apply here the Saying of the *Pſalmiſt*, *A Man was famous, according as he had lifted up Axes upon the thick Tree; but now they break down the carved Work thereof with Axes and Hammers* [x]. But there was a Proviſo in this Act, that Images upon the Tombs of any King, Prince, Nobleman, or other dead Perſon, not reputed a Saint, might ſtill remain.

Act for defacing Images.

Other Acts paſſed. A Law was made this Seſſion againſt Vagabonds, by which a former Statute of this Reign was repealed,

[t] *Statutes at large*, 3 and 4 *Edward* VI. cap. xii.
[u] *Holling ſhead*'s *Chron.* p. 992.
[x] *Pſalm* lxxiv. 6, 7.

pealed, and an Act made in the late Reign put in Force. Provisions were laid down for relieving the Sick and Impotent, and setting the Poor, that were able, to Work; whereby once a Month there should be a Visitation of the Poor by those in Office, who should send away such as did not belong to that Place, to such Places as were obliged to look after them. An Act concerning the Improvement of Commons and waste Ground. An Act for disinheriting of *William West*, Knt. *Thomas Isley*, Esq; and *Mary Seymour*, Daughter and Heir to the Lord *Sudley*, late Admiral of *England*. An Act was also made, whereby the Subsidy granted to the King the last Year, on Sheep, Cloths, *&c.* was released, and that on Goods continued; and, in lieu of the former, a Tax of one Shilling in the Pound was laid on Goods, and for Aliens two Shillings. Last of all comes the King's general Pardon, out of which the Prisoners in the *Tower*, or other Prisons, for Matters of State, were excepted; as also all *Anabaptists*, a Sect lately imported from *Germany*[y]. K. *Edward* VI.

But we must not omit one Circumstance relating to the Rules of the House of Commons, mentioned in their *Journal*. It seems that before this Time the eldest Sons of Peers were not allowed to be Members of that House; and Sir *Francis Russel*, being, by the Death of his elder Brother, Heir apparent to the Lord *Russel*, it was, upon the 21st of *January*, carried, upon a Debate, *That he should still abide in the House as he was before.* Resolution of the Commons as to the eldest Sons of Peers.

From the 21st Day of *April* this Parliament was again prorogued, by the King's Letters Patent, directed to the Lord-Chancellor, Lord-Treasurer, *&c.* to the 10th Day of *October* next ensuing; and from that Day another Prorogation happened to the 20th Day of *January* following; from which Time it suffered one more Prorogation to the 2d of *March*, but still did not meet to do Business 'till the 23d Day of *January*, in the fifth Year of this Reign.

At

y Two Persons were executed, in this Reign, for being *Anabaptists*. *Crosby*'s *History of* English *Baptists*, Vol. I. p. 46.

K. *Edward* VI. Anno Regni 5. 1551-2.

At which Time, the Parliament being once more aſſembled at *Weſtminſter*, they continued ſitting 'till the 14th of *April* following. The Buſineſs that was done in this Seſſion, which is any ways hiſtorical, we ſhall put under two Heads, Religious and Civil. And

The Parliament meet after ſeveral Prorogations.

The firſt Act that was brought into the Houſe of Lords, on the former Affair, was in order to bring Men to Divine Service; which was agreed to on the 26th, and ſent down to the Commons. Here it laid a long Time, for it was not 'till the 6th of *April* that we hear of it again; when we find it tacked to another Bill by the Commons, called, *An Act for the Uniformity of Service and Adminiſtration of Sacraments throughout the Realm:* Which was to authorize a new *Common Prayer-Book*, according to ſome Rules agreed on laſt Year. This the Commons joined to the former, and ſo put both in one Act: By this it was firſt ſet forth [z], 'That 'an Order of Divine Service being publiſhed, many 'did wilfully abſtain from it, and refuſed to come 'to their Pariſh Churches; therefore all are requi-'red, after the Feaſt of *All-Hallows* next, to come 'every *Sunday* and Holiday to common Prayers, 'under the Pain of the Church's Cenſure. And the 'King, the Lords Temporal, and the Commons, 'did, in God's Name, require all Archbiſhops, Bi-'ſhops, and their Ordinaries, to endeavour the 'due Execution of that Act, as they would anſwer 'before God for ſuch Evils and Plagues, with 'which he might juſtly puniſh them, for neglecting 'this good and wholſome Law; and they were 'fully authorized to execute the Cenſures of the 'Church on all that ſhould offend againſt this Act.' To which is added, 'That there had been divers 'Doubts about the Manner of the Miniſtration of 'the Service, rather by the Curioſity of the Miniſters 'and Miſtakers, than of any other Cauſe; and that 'for the better Explanation of it, and for the great-'er Perfection of the Service, in ſome Places where 'it

A new Common Prayer-Book authorized by Parliament.

[z] *Burnet's Reformation*, Vol. II. p. 189.

'it was fit to make the Prayer and Faſhion of Service more quick and earneſt, to ſtir up Chriſtian People to the true honouring of Almighty God; therefore it had been, by Command of the King and Parliament, peruſed, explained, and made more perfect.' There was alſo annexed to it the Form of making Biſhops, Prieſts, and Deacons; and ſo this new Book of Service was appointed to be every where received, after the Feaſt of *All-Saints* next, under the ſame Penalties that had been enacted three Years before, when the former Book was put out. K. *Edward* VI.

Biſhop *Burnet* obſerves that, on the Appearance of this Act, the Papiſts ſaid, That the Reformation was like to change as oft as the Faſhion did, ſince they ſeemed never to be at a Point in any Thing; but new Models were thus continually framing. To which was anſwered, That it was no Wonder that the Corruptions which they had been introducing for above a thouſand Years, were all to be thrown out at once; but now the Buſineſs was brought to a fuller Perfection, and they were not like to ſee any more material Changes: And indeed this was true, our preſent Book of *Common-Prayer*, with the Act of *Uniformity* at the Head of it, being pretty near the ſame with what was publiſhed at that Time.

March 3. A Bill was brought into the Houſe of Lords, for the Obſervation of Holidays and Faſting Days. It was ſent down to the Commons on the 15th, by whom it was paſſed, and it after had the Royal Aſſent. In the Preamble to this Bill it was ſet forth, Act for Obſervation of Holidays.

'That Men are not at all Times ſo ſet on the 'Performance of religious Duties as they ought to 'be; which made it neceſſary that there ſhould be 'ſet Times in which Labour was to ceaſe, that 'Men might, on theſe Days, wholly ſerve God. 'Which Days were not to be accounted holy of 'their own Nature, but were ſo called becauſe of 'the holy Duties then to be ſet about; ſo that the 'Sanctification of them was not any magical Virtue

'in

K. *Edward* VI. 'in that Time, but consisted in the dedicating 'them to God's Service. That no Day was dedi- 'cated to any Saint, but only to God in Remem- 'brance of such Saints: That the Scripture had 'not determined the Number of Holidays, but 'that these were left to the Liberty of the Church. 'Therefore it was enacted, That all *Sundays*, 'with the Days marked in the Kalendar and Li- 'turgy, should be kept as Holidays; and the Bi- 'shops were to proceed by the Censures of the 'Church against the Disobedient.' A Proviso was added for the Observation of St. *George*'s Feast by the Knights of the Garter; and another, that Labourers and Fishermen might, if Need so required, work on those Days, either in or out of Harvest. The Eves before Holidays were to be kept as Fasts; and in *Lent*, and on *Fridays* and *Saturdays*, Abstinence from Flesh was enacted: But if a Holiday was to fall on a *Monday*, the Eve for it was to be kept on *Saturday*, since *Sunday* was never to be a Fast. But as Bishop *Burnet* again observes, in this and all such Acts, the People were ready enough to lay hold on any Relaxation made by it, but did very slightly observe the stricter Parts: So that the Liberty left to Tradesmen, to work in Cases of Necessity, was carried farther than it was intended, to a too public Profanation of the Time so sanctified; and the other Part, directing the People to a conscientious Observance of such Times, was little minded.

A Bill in Favour of the Clergy, thrown out by the Commons.

March 9. The Bishops brought in a Bill for the Security of the Clergy from some ambiguous Words that were in the Submission which the Convocation had made to the late King, in the 21st Year of his Reign; by which they were under a *Præmunire*, if they did any Thing in their Courts contrary to the King's Prerogative, which was thought hard, since some through Ignorance might transgress. Therefore it was desired that no Prelate should be brought under a *Præmunire*, unless they had proceeded in any Thing after they were prohibited by

by the King's Writ. To this Bill the Lords consented, but it was thrown out by the Commons. K. *Edward* VI.

Another Bill was brought in for the Marriage of the Clergy. This was introduced to the House of Lords on the 6th of *February*, and passed on the 10th; the Earls of *Shrewsbury*, *Derby*, *Rutland*, and *Bath*, with the Lords *Abergavenny*, *Stourton*, *Monteagle*, *Sandys*, *Windsor*, and *Wharton*, protesting against it. This Bill passed into a Statute; and by it was set forth, Another, for the Marriage of the Clergy.

'That many took Occasion, from the Words in 'the Act formerly made about this Matter, to say, 'That it was only permitted, as Usury and other 'unlawful Things were, for the avoiding greater 'Evils; who thereupon spoke slanderously of such 'Marriages, and accounted the Children, begotten 'of them, to be Bastards, to the high Dishonour 'of the King and Parliament, and the learned 'Clergy of the Realm, who had determined, that 'the Laws against Priests' Marriages were most unlawful by the Law of God; to which they had not 'only given their Assent, in Convocation, but signed 'it with their own Hands. These Slanders did also 'occasion that the Word of God was not heard 'with due Reverence; whereupon it was enacted, 'That such Marriages, made according to the 'Rules prescribed in the Book of Service, should 'be esteemed good and valid; and that the Children begot in them should be inheritable according to Law[a].'

By another Act, the Bishopric of *Westminster*, erected after the Suppression of the Abbey there, was quite dissolved, and annexed to the See of *London*; but the Collegiate Church, with its exempted Jurisdiction, was still continued. One more religious Bill passed both Houses against Simoniacal Practices, the Reservation of Pension out of Benefices, and the granting Advowsons while the Incumbent was yet alive. It was agreed to by the Lords, the Earls of *Rutland*, *Derby*, and *Sussex*, the Viscount *Hereford*,

[a] *Burnet*, p. 192. *Statutes at large*, Anno 5 & 6 *Edward* VI. cap. xii.

K. *Edward* VI. *ford*, the Lords *Monteagle*, *Sandys*, *Wharton*, and *Evers*, diſſenting; but for what Reaſon the King did not give his Aſſent to it, is uncertain.

A Project for depriving *Tunſtal*, Biſhop of *Durham*, miſcarries.

A private Bill, tho' it did not affect the whole Church, yet a very conſiderable Member was deſigned to be much hurt by it, came on before the Houſe of Lords. The Title was, *A Bill for the Deprivation of the Biſhop of* Durham, *for certain heinous Offences by him committed.* It was brought in on the 28th of *March*, and paſſed on the 31ſt; *Cranmer*, Archbiſhop of *Canterbury*, and the Lord *Stourton*, only diſſenting. This Biſhop of *Durham* was *Cuthbert Tunſtal*, a Man very famous for Learning and Morality; and in Religion as ſteady to the Catholic as he durſt. For though he had, as Biſhop *Burnet* obſerves, always proteſted againſt the Changes in Religion in Parliament, yet he thought he might, with a good Conſcience, obey them when paſſed into Laws, though he did not himſelf conſent to them. This Blow was aimed at him by the Duke of *Northumberland*, the Prime Miniſter after *Somerſet*'s Death, and who wanted the Dignity, Juriſdiction, and Principality of the County Palatine of *Durham* to be conferred upon himſelf: But he miſſed his Aim; for when the Bill was brought before the Commons, they required that the Accuſers and the Accuſed might be heard Face to Face; which not being allowed, they dropped the Bill [b].

The Civil Affairs which were tranſacted this Seſſion are not ſo numerous as the former. The firſt we meet with bears this Title, *An Act for the Puniſhment of divers Kinds of Treaſons.* The Bill was brought into the Houſe of Lords on the 16th of *February*, and paſſed on the 20th; the Lord *Wentworth*

[b] One Act more paſſed this Seſſion, which was called *An Act againſt Fighting in Churches, and Church-Yards.* By which Statute the Quarrel was to be puniſhed by Suſpenſion; to ſtrike, by Excommunication; and to draw any Weapon, by the Loſs of Ears.

See the *Journal*; alſo *Statutes at large*, Anno 5 & 6 *Edw.* VI. cap. vi.

worth only diſſenting: But, when it was ſent down to the Commons, it occaſioned a long Debate, and many ſharp Things were ſaid of thoſe who now bore the Sway. It was urged that, at the Beginning of this Reign, the Miniſtry then put in a Bill for leſſening the Number of ſuch Offences; but now they ſaw, by the Change of Councils, more ſevere Laws were propoſed. At laſt the Commons rejected the Bill, but drew up a new one, which paſſed into a Law. By it was enacted, K. *Edward* VI.

'That if any ſhould call the King, or any of his Heirs named in the Statute of the 35th of the laſt Reign, Heretic, Schiſmatic, Tyrant, Infidel, or Uſurper of the Crown, for the firſt Offence they ſhould forfeit their Goods and Chattels, and be impriſoned during Pleaſure; for the ſecond, ſhould be in a *Præmunire*; and, for the third, ſhould be attainted of Treaſon: But if any ſhould unadviſedly ſet it out in Writing, Printing, Painting, Carving, or Graving, he was, for the firſt Offence, to be held as a Traitor. Likewiſe that thoſe who ſhould keep any of the King's Caſtles, Artillery, or Ships, ſix Days after they were lawfully required to give them up, ſhould be guilty of Treaſon. That Men might be proceeded againſt for Treaſons committed out of the Kingdom as well as in it. They alſo added a Proviſo, That none ſhould be attainted of Treaſon on this Act, unleſs two Witneſſes ſhould come, and to their Face aver the Fact for which they were to be tried; except ſuch as, without any Violence, ſhould confeſs it; and that none ſhould be queſtioned for any Thing ſaid or written, but within three Months after it was done.' Act relating to High Treaſon;

March 5. A Bill was read in the Houſe of Lords, for the firſt Time, for Taxes and Aſſeſſments for Relief of poor and impotent Perſons, and committed. The Bill bears this Title in the *Lords' Journal*, and it paſſed the Houſe in that Form: But this gave Occaſion to ſome Members in the other Houſe, when the Bill came before them, to take And for Relief of the Poor.

K. *Edward* VI. Notice that it was designed to lay a Tax on the Subject; which was a Jealousy not easy to get over in those Days: So that when the Act passed it had only this Title, *An Act for the Provision and Relief of the Poor*; by which the Church-Wardens were impowered to gather charitable Contributions for the Poor; and if any did refuse to contribute, or did dissuade others from it, the Bishop of the Diocese was to proceed against them.

Another, relating to Usury.

Another Bill was brought in against Usury, which passed both Houses, and was made a Statute. By it an Act passed in the 37th Year of the late King, 'That none might take above 20 *per Cent.* on 'Money lent, was repealed; which they said was 'not intended for the allowing of Usury, but for 'preventing of farther Inconveniences: And since 'Usury was by the Word of God forbidden, and 'set out in divers Places of Scripture as a most 'odious and detestable Vice, which yet many con-'tinue to practise for the filthy Gain they make by 'it; therefore, from the 1st of *May*, all Usury or 'Gain from Money lent was to cease; and who-'soever continued to practise to the contrary, was 'to forfeit both Principal and Interest, to suffer Im-'prisonment, and to be fined at the King's Plea-'sure.' This severe Act has been since repealed; and several Regulations have been made at divers Times for settling this Affair of Usury. Bishop *Burnet* has left us a learned Dissertation on the Lawfulness or Unlawfulness of Usury, both according to *Levitical* and *Christian* Practice; and he concludes, that it was impossible that this Law could be observed in *England*, or any other trading Part of the World [a].

An Act was made this Session for the encouraging of the Woollen Manufactury, directing the true making of Broad Cloths; with several more of less Significancy; amongst which one must not be omitted, because the passing of this, with some other Incidents which happened in the House of Commons, determined the Fate of this Parliament.

April

[a] *Burnet's Reformation*, Vol. II. p. 192, 193.

April 12. The *Journal* informs us a Bill was read in the Houſe of Peers a third Time, for the Limitation of the late Duke of *Somerſet*'s Lands; and alſo one other Bill confirming the Attainder of the ſaid Duke, Sir *Thomas Arundele*, Sir *Michael Stanhope*, Sir *Ralph Fane*, and Sir *Miles Partridge*; which being three Times read, and agreed unto by the Lords, were ſent down to the Lower Houſe by Serjeant *Brook* and the King's Sollicitor, with Requeſt that it might be annexed to the aforeſaid Act againſt the Duke. K. *Edward* VI.

The Duke of *Somerſet* had again fallen into a Trap which his Enemies had laid; but he did not eſcape ſo well in this, for it proved fatal to him. He was tried by his Peers on an Indictment of High Treaſon and Felony; acquitted of the firſt, but found guilty of the Felony, for which he was beheaded on *Tower-Hill*. The Statute on which this Nobleman was condemned is mentioned before [b]; but the main Reaſon which made him a Prey to the Earl of *Warwick* and the reſt of his implacable Enemies, was the Loſs of his Brother, his own Strength and Capacity not being ſufficient to ſtem the Violence of the Stream which then run againſt him. The Duke of *Somerſet* attainted and beheaded.

The Warrant for the Duke's Execution is in the Collection of *Public Acts* [c], atteſted by the King himſelf; ſo that this moſt merciful Prince, whom all our Hiſtorians celebrate for his Reluctancy in ſigning a Warrant for the Execution of *Joan Butcher*, the Heretic, ſaying, *Would to God I had never learn'd to write*, made no Scruple, as far as we can learn, to ſet his Hand to thoſe which gave Death to two of his own Uncles.——But to return to the Statute.

Biſhop *Burnet* writes, That the Duke of *Somerſet*'s Eſtate had been entailed, by Act of Parliament, on his Son, in the 23d Year of the late Reign; and that the Bill for the Repeal of the ſaid Act was ſent down to the Commons on the 23d of *March*, and Obſervations thereon.

b In the 3d and 4th of *Edward* VI. p. 248.

c Tom. XV. p. 295.

K. *Edward* VI. signed with the King's own Hand. Whether, adds this Author, the King was so alienated from his Uncle, that this extraordinary Thing was done by him for the utter Ruin of his Family, or not, he cannot determine; but he rather thinks it was done in Hatred to the Duchess of *Somerset* and her Issue [d]. However, this Bill of Repeal was much opposed in the House of Commons, though sent to them in so unusual a Way by the King himself. And tho' there was, on the 8th of *March*, a Message sent from the Lords, that they should make Haste towards an End of the Parliament, yet still they stuck long upon it, looking upon the breaking of Entails, made by Act of Parliament, as a Thing of such Consequence, that it dissolved the greatest Security which the Law of *England* can give to Property. It was long argued in the Commons, and was fifteen Days brought in At last a new Bill was devised, and that was much altered too; and it was not quite ended till the Day before the Parliament was dissolved: But, near the End of the Session, a Proviso was sent by the Lords to be added to the Bill, confirming the Attainder of the Duke and his Accomplices. It seems his Enemies would not try this at first, 'till they had, by other Means, measured their Strength in that House; but they mistook their Measures, for the Commons would not agree to it, tho' in Conclusion the Bill of Repeal was agreed to. But whereas there had been some Writings for a Marriage between the Earl of *Oxford*'s Daughter and the Duke of *Somerset*'s Son, and a Bill was put in for ratifying them, it was carried in the Negative, on a Division of the House, 69 against 68. The Printer here remarks, That 137 Members was a very thin House at that Time; but this, he adds, was a natural Effect of a long Parliament; many of those who were first chosen being infirm, and others not willing to put themselves

[d] Her Name was *Anne*, Daughter of Sir *Edward Stanhope* of *Shelford*, a Woman of a most virulent Temper, according to Sir *John Hayward* and Dr. *Heylin*, and one who had pushed the Duke to such Actions as begun with the Destruction of his Brother, and ended with himself. *Dugdale*'s *Baronage*, Vol. II. p. 362.

selves to the Charge of so constant and long At- K. *Edward* VI.
tendance.

We have chose to copy Bishop *Burnet* in his Account of these Particulars; but either he or the *Journal* of the House of Lords must err in some of them. It appears evidently by that Authority, that there was no Mention made of either of these Bills against the Duke, till the 11th of *April*, when the Limitation-Bill was sent up from the Lower House: It was read a first and second Time that Day, and a Proviso added to it; and the Day following it passed the Lords, and had there the Bill of Attainder tack'd to it, in the Manner as hath been recited: So that where the Prelate got his Intelligence of the Bill passing on the 3d of *March*, and sent down signed by the King, as also the Message on the 8th *ibidem*, we know not.

The Bill of Attainder not passing in the Lower House against the Duke of *Somerset*, the Proviso in the Treason-Act mentioned before, and that House refusing to pass the Bill against the Bishop of *Durham*, unless he was confronted by Witnesses before them, shewed plainly what Sense the Commons had of this Duke's Condemnation. It also gave the Duke of *Northumberland* a perfect Knowledge how little Kindness they had for him; for this Parliament being called by *Somerset*, his Friends had been generally chose to be in it; and it is no Wonder if, upon his Fall, they were not over complaisant to those who had destroyed him. In short, the Minister made no Motion for a Supply this Session, though the King's Debts were then very great [e], and to gain one he found it necessary to call a new Parliament: Accordingly, on the 15th of *April*, the old one was dissolved, after sitting almost five Years; and the Minister made it his Business all that Summer to gain Friends all over *England*, in order to have another Parliament the next Year more fit for his Purpose.

The King greatly in Debt.

The Parliament dissolved.

We

[e] Mr. *Strype* has preserved a Schedule of these Crown Debts, which we here subjoin: 'The King had taken up great Sums from Banks, and Persons beyond the Seas, and was indebted to them, this Year,

K. *Edward* VI. We shall conclude our Account of the Proceedings of this Parliament with an Abstract out of King *Edward*'s *Journal*, written by himself.

'*April* 15. The Parliament broke up, and because I was sick, and not able well to go abroad 'as then, I signed a Bill, containing the Names of 'the Acts which I would have to pass; which Bill 'was read in the House. Also I gave Commission 'to the Lord-Chancellor, two Archbishops, two 'Bishops, two Dukes, two Earls, and two Barons, to dissolve wholly this Parliament.' The King was then ill of the Measles and Small-Pox. It is somewhat strange that this Commission is not taken Notice of in the *Lords' Journal*, which concludes in these Words, *Dominus Cancellarius, ex Mandato Regis, presens Parliamentum dissolvit.*

A new Parliament called.

Towards the Conclusion of the Year 1552 the King called a new Parliament; and, as hath been hinted before, great Care was taken by the Court to have it answer their Expectations. The same Ecclesiastical Historian [f] tells us, That the King, as

Year, the Sum of 132,372 *l.* 10 *s.* Of this Sum 1000 *l.* was for a Diamond. Besides Debts within the Realm, 108,807 *l.* 4 *s.* 10 *d.* The Total Sum amounted to 241,179 *l.* 14 *s.* 10 *d.* The Particulars of the Debts within the Realm were as follow:

	l.	*s.*	*d.*
To the Houshold	28000	0	0
To the Chambre	20000	0	0
To the Wardrobe	6075	18	0
To the Stable	1000	0	0
To th' Admiraltie	5000	0	0
To th' Ordinaunce	3134	7	10
To the Surveyor of the Works	3200	0	0
To *Calleys*	14000	0	0
To *Barwyck*	6000	0	0
To the Revels	1000	0	0
To *Silley* and *Alderney*	1000	0	0
To *Ireland*	13128	6	8
To *Winter*, for his Voyage to *Ireland*	471	4	6
To *Bartholmewe Compagni* [the King's Merchant]	4000	0	0
To *Portesmouth* and th' Isle of *Wight*	1000	0	0
To the Men of Armes	800	0	0
To the Lieutenant of the *Tower*	997	7	10
	108807	4	10

[f] *Strype*'s *Eccles. Memorials*, Vol. II. p. 312.
[g] *Ibid.* p. 394.

as his Years came on, began to ſet himſelf about Buſineſs; and, as he intended to have this Parliament compoſed of Men endowed with good and great Abilities, to conſult with him on the preſſing Affairs and Difficulties of his Kingdom, he cauſed Letters to be wrote to every Sheriff in the Realm, directing them whom to chuſe for that Purpoſe. It is very probable that the Duke-Miniſter put this ſpecious Gloſs upon it, in order to impoſe upon the King's natural Goodneſs; but this Way of proceeding, by influencing Elections, is by no Means juſtifiable by the antient Cuſtom and Uſage of the Realm. The Letter itſelf, which the aforeſaid Author hath given us, is a ſufficient Teſtimony of this, and is too material to be omitted in theſe Inquiries. It is as follows: K. *Edward* VI.

Truſty and Well-beloved, we greet you well,

Forasmuch as we have, for diverſe good Conſiderations, cauſed a Summonition for a Parliament to be made, as we doubt not but ye underſtand the ſame by our Writs ſent in that Behalf unto you, we have thought it meet, for the Furtherance of ſuch Cauſes as are to be propounded to the ſaid Parliament for the Commonweal of our Realm, that, in the Election of ſuch Perſons as ſhall be ſent to the Parliament, either from our Counties as Knights thereof, or from our Cities and Boroughs, there be good Regard had that the Choice be made of Men of Gravity and Knowledge in their own Countries and Towns, fit, for their Underſtandings and Qualities, to be of ſuch a great Council: And therefore, ſince ſome Part of the Proceeding herein ſhall reſt in you, by Virtue of your Office, we do, for the great Deſire we have that this our Parliament may be aſſembled with Perſonages out of every Country, of Wiſdom and Experience, at this Preſent, will and command you that ye ſhall give Notice, as well to the Freeholders of your County as to the Citizens and Burgeſſes of any City or Borough which ſhall have any of our Writs by our Direction for the Election of Citizens and Burgeſſes, that our Pleaſure and Commandment is, that they ſhall chuſe and appoint

The King's Letter to the Sheriffs, for electing ſuch as the Privy Council ſhould recommend.

K. *Edward* VI. *point (as nigh as they poſſibly may) Men of Knowledge and Experience, within the Counties, Cities, and Boroughs; ſo as, by the Aſſembly of ſuch, we may, by God's Goodneſs, provide (thorough the Advice and Knowledge of the ſaid Parliament) for the Redreſs of the Lacks in our Commonweal, more effectually than heretofore hath been: And yet, nevertheleſs, our Pleaſure is, that where our* Privy Council, *or any of them within their Juriſdictions, in our Behalf,* ſhall recommend Men of Learning and Wiſdom, *in ſuch Caſe* their Directions *be regarded and followed, as tending to the ſame which we deſire; that is, to have this Aſſembly to be of the moſt chiefeſt Men in our Realm for Advice and Counſel.*

After this followed ſeveral Letters from the King himſelf, recommending particular Perſons to the High Sheriffs to be elected Knights; as one to the Sheriff of *Hampſhire*, for the electing Sir *Richard Cotton* for that County; the like Letter to the Sheriff of *Suffolk*, for the electing of Sir *William Drury* and Sir *Henry Benningfield*; to *Bedfordſhire*, for Sir *John St. John*, Knt. and *Lewis Dyve*, Eſq; to *Surrey*, for Sir *Thomas Cavarden*, Knt. and *John Vaughan*, Eſq; to *Cambridgeſhire*, for Sir *Edward North*, and *James Dyve*, Eſq; to *Berks*, for Sir *William Fitzwilliams* and Sir *Henry Nevyl*; to the Sheriff of *Oxon*, for Sir *John Williams*, and *Richard Fines*, Eſq; to *Northamptonſhire*, for Sir *Nicholas Throgmorton*, and *Robert Lane*, Eſq; No more were recommended by the King's Letters; but no doubt thoſe from the Privy Council muſt take in great Part of the whole Kingdom.

Anno Regni 7. 1552. The Writs for calling this Parliament, and theſe Letters, were ſent out in *January*, and it was ordered to meet the firſt of *March* following.

At *Weſtminſter*. *John Stowe* [g] gives us the Ceremonials at the Opening in this Manner: 'The firſt of *March* 'began a Parliament at *Weſtminſter*; and all the 'Lords Spiritual and Temporal aſſembled that 'Day in the *White-Hall*, in their Robes, where a 'Sermon

[g] *Stowe's Chronicle*, p. 609.

'Sermon was preached in the King's Chapel by Dr. *Ridley*, Biſhop of *London*, and his Majeſty, with diverſe Lords, received the Communion: Which being done, the King, with the Lords in Order, went into the King's Great Chamber, on the King's Side, which that Day was prepared for the Lords' Houſe, the King ſitting under his Cloth of Eſtate, and all the Lords in their Degrees; the Biſhop of *Ely*, Dr. *Godricke*, Lord-Chancellor, made a Propoſition for the King; which being ended the Lords departed. This was done becauſe the King was ſickly.' K. *Edward* VI.

But the Reaſon why this Parliament ſat at *Whitehall* was, becauſe the King was ſo far gone in a Conſumption that he was not able to go to *Weſtminſter*. The next Day, the ſame Author tells us, that *James Dyer*, or *Diar*, Eſq; was choſen Speaker of the Houſe of Commons [h]. And now the *Lords' Journal* informs us, that the firſt Thing of Note that they went upon, was to bring in a Bill for the better anſwering the Revenues of the Crown, that all Treaſurers and other Perſons, having the Receipt of any of the King's Money, ſhall be yearly accountable, and put in Sureties for the ſame. This Bill occaſioned ſome Debate; and, on the third Reading, the Earl of *Pembroke*, the Lords *Morley*, *Borough*, *Bray*, *Wentworth*, *Ruſſel*, and *Rich*, proteſted againſt it: And when it was ſent down to the Commons they wholly rejected it; but ſent back a new Bill to the ſame Purpoſe, which paſſed into a Statute. JAMES DYER, Eſq; elected Speaker.

Two other Bills alſo, in relation to the State of the Coinage, were introduced; the firſt was, That it ſhould be Felony to give for any of the current Coin of the Kingdom above what was appointed by the King's Proclamation. The other, againſt the Exportation of Gold and Silver out of the Realm. The firſt was rejected, but the laſt paſſed into a Law; which was no more than reviving a Statute made the 17th *Edward* IV. for the ſame Purpoſe, and was to continue for twenty Years.

March

[h] Author of the Reports; and Chief Juſtice of the Common-Pleas, *Anno* 1 *Elizabethæ*.

K. *Edward* VI. *March* 13. A Bill for a Subsidy and two Fifteenths and Tenths, by the Temporality, was sent up by the House of Commons, and passed by the Lords on the 17th; it was granted for two Years.

A Subsidy.

This Bill occasioned great Debates in the Lower House. The Preamble to it was a long Accusation of the Duke of *Somerset*, 'For involving the King 'in Wars, wasting his Treasures, engaging him 'in much Debt, embasing the Coin, and having 'given Occasion for a most terrible Rebellion. In 'fine, considering the great Debt the King was left 'in by his Father, the Loss he put himself to in re-'forming the Coin, and they finding his Temper 'to be set wholly on the Good of his Subjects, and 'not on enriching himself, therefore they gave 'him two Tenths and two Fifteenths for two 'Years [h].'

Whether the Debate in the House of Commons was upon this extraordinary Demand of a Supply, or on the Preamble, is uncertain: But it is probable that, when the Bill came to be engrossed it was on the latter; which the Duke of *Northumberland* and his Party were the more eagerly set on, to let the King see how acceptable they were, and how hateful the Duke of *Somerset* had been to the People. The Clergy also, to shew their Affection and Duty, says *Burnet*, gave the King Six Shillings in the Pound on all their Benefices; which Grant, according to Custom ever since the Reformation, was confirmed by Parliament.

In Ecclesiastical Affairs there was a Bill sent down from the Lords, that none might hold any Spiritual Promotion, unless he was either Priest or Deacon. The Reason of it was, because many Noblemen and Gentlemen's Sons had Prebends given them, on this Pretence, that they intended to fit themselves, by Study, for Holy Orders; but these they kept, tho' their Studies went no farther. The Bishops had prevailed upon the Lords to pass the Bill; but, at the third Reading, it was cast out by the Commons; which shews what poor Interest the

[h] See the Preamble at large in *Rastal*'s *Stat.* 7 *Ed.* VI. cap. xii.

the Clergy had then in that Houſe, when ſo reaſonable a Bill was rejected. K. *Edward* VI.

But the moſt extraordinary Act, on Church Affairs, which paſſed this Seſſion, was that for the Suppreſſion of the Biſhopric of *Durham*; which *Burnet* ſays is ſo ſtrangely miſrepreſented, by thoſe who never read more than the Title of it, that he thinks proper to give a full Account of it. The Bill was brought into the Houſe of Lords on the 20th of *March*, and paſſed both Houſes ſoon after. The Preamble ſets forth,

'That this Biſhopric being then void of a Prelate, the Gift thereof was in the King's Pleaſure; and the Compaſs of it being ſo large as to extend itſelf into ſeveral Shires far diſtant, it could not be ſufficiently ſerved by one Biſhop; and ſince the King, by his godly Diſpoſition, was deſirous to have God's Holy Word preached in thoſe Parts, which were wild and barbarous for lack of good Preaching and good Searching: Therefore he intended to have two Biſhoprics for that Dioceſe; the one at *Durham*, which ſhould have 2000 Marks yearly Revenue, and another at *Newcaſtle* with 1000; and alſo to found a Cathedral Church at the latter Place, with a Deanry and Chapter, out of the Revenues of the ſaid Biſhopric: Therefore the Biſhopric of *Durham* is utterly extinguiſhed and diſſolved, and Authority is given for Letters Patent to erect the two new Biſhoprics together with the Deanry and Chapter at *Newcaſtle*; with a Proviſo that the Rights of the Deanry, Chapter, and Cathedral of *Durham* ſhould ſuffer nothing by this Act.' The Biſhopric of *Durham* ſuppreſſed.

Biſhop *Burnet* has taken ſome Pains to prove, that the Diſſolution of this Biſhopric was not ſo ſacrilegious a Thing as ſome Writers have repreſented it. He argues 'That the Lands of that Biſhopric lying near the Borders of an Enemy, where the Service of the Tenants in War muſt ſet the Rents at very low Rates, the Reſerve of 3000 Marks a Year, and the endowing the Cathedral, which could not be done under 1000 more, was not

K. *Edward* VI. not such a Depredation on the Bishopric as has been imagined. However it did not take Effect; for tho' *Ridley*, being a Native of that Country, was named to be one of the Bishops, and *Northumberland* had the Bishopric given him, which was turned into a Principality for that Purpose, yet the King's Sickness and Death soon after made this and all the rest of such Designs prove abortive. But it is plain, by what had been designed against *Tunstal*, the deprived Bishop of *Durham*, in the last Parliament, and now a Prisoner, that this County Palatine was the Bait which drew this Duke of *Northumberland* to seek the Destruction of that Prelate and the Dissolution of the Bishopric. Whoever knows the Power and Interest which the *Percy* Family had in those Parts, must also understand that the Acquisition of this rich Bishopric, with its Jurisdiction, must render this Duke of *Northumberland*, tho' of another Name, little less than a Northern King [i].

In the *Journals* are put down the Titles of seventeen Acts which passed this Session; in the printed Statutes are only fourteen: The most remarkable in both, which have not been already mention'd, were,

Acts passed. An Act for the Restitution in Blood of Sir *Edward Seymour*, Knt. [k] eldest Son to the late Duke of *Somerset*.

An Act to avoid the great Prices and Excess of Wines: By which it was enacted, That no Person whatever should keep in his House above ten Gallons of *French* Wine, for spending, under Pain of forfeiting 10*l.* Sterling; unless he could spend 100 Marks yearly in Lands, Tenements, or other Profits certain; or was worth 1000 Marks of his own; or else was the Son of a Duke, Marquis, Earl,

i This Duke of *Northumberland* was *John Dudley*, Earl of *Warwick*, created Duke, *&c.* by this King, and expected to have all the Revenues of the *Percy* Family given him, the Earldom of *Northumberland* being then extinct by the Attainder of the last Earl. *Dugdale's Baronage*, Vol. II. p. 219.

He was also to be made Earl of *Durham*. *Strype's Memorials*, Vol. II. p. 396.

k This argues a great Mistake in *Dugdale*, for he says Sir *Edward* was not restored till the first of Queen *Elizabeth*. *Dugdale's Baronage*, Vol. II. p. 368.

Earl, or Baron. The Duke of *Suffolk*, the Earls of *Arundele*, *Weſtmoreland*, *Oxford*, and *Rutland*, the Biſhop of St. *David*'s, and the Lord *Darcy* of *Chiche*, proteſted againſt this Bill[l]. K. *Edward* VI.

An Act for the diſſolving, uniting, or annexing of certain Courts, particularly the Court of Augmentations, by the King that is dead.

Another, That all Patentees of Collectorſhips of Tenths ſhall be bound for their Collections.

And an Act for the King's moſt gracious, general, and free Pardon. Concerning which *Burnet* makes this Remark. 'That whereas it goes for a Maxim that all Acts of Pardon muſt be paſſed, without changing any Thing in them, the Commons, when they ſent up this Act of Pardon to the Lords, deſired that ſome Words might be amended in it. But he adds that it is not clear what was done; for that ſame Day this Requeſt was made the Acts were paſſed, and the Parliament diſſolved.

Mr. *Strype* hath given us the Names of all the Perſons excepted out of this Act of Grace, by which we may ſee that it did not altogether agree with its Title[m].

The main Point which the Duke of *Northumberland* carried in this Parliament, was to cauſe the Nation to make a public Declaration of their Diſlike to the late Duke of *Somerſet*'s Miniſtry; which, as our Author obſerves, was the more neceſſary, becauſe the King had let fall ſome Words concerning his Death; by which he ſeemed to reflect on it with ſome Concern, and looked on it as done by *Northumberland*. But then this Act paſſed with ſo much Difficulty, that either the Duke thought this Parliament not well enough diſpoſed for him, or elſe he reſolved to vary wholly from the Meaſures of *Somerſet*, who continued the ſame Parliament a long Time; ſo, for one or both theſe Cauſes, the King came to the Houſe, and gave the Lord-Chancellor Command to diſſolve this Parliament; after it had ſat only one Month, that is from the firſt to the laſt Day of *March*[n]. Thus

[l] *Journ. Procer.*

[m] *Strype*'s *Memorials*, Vol. II. p. 396.

[n] Being then *Good-Friday*.

K. *Edward* VI. Thus ended the laſt Parliament in this Reign; for *Edward* VI. ſoon after finiſhed both that and his ſhort Life, dying of a deep Conſumption, *July* 6, *Anno* 1553, in the 16th Year of his Age, and the ſeventh of his Reign.

Mr. *Strype* frequently takes Occaſion to animadvert on the Sacrilegious Hunger of the Courtiers in this Reign, which, he tells us, was inſatiable. He hath alſo given us a Catalogue of Public Grammar Schools, and other Endowments out of the diſſolved Chantries. From whence it may be preſumed, that the Charitable Foundations in this Reign were owing to the innate Piety of this moſt excellent young Prince himſelf; and that the Havock made among the Eccleſiaſtical Revenues during his Minority, ought much rather to be attributed to his Evil Counſellors than to any habitual Inclination of his own.

It will not, we hope, be judged improper, at the Concluſion of this Reign, to give an Account of a Tranſaction, which happened very near the Beginning of it; ſince, to have mentioned it then, would have broke too much the Thread of our Hiſtory. The Matter is about the *Right which the inferior Clergy have, by their Repreſentatives, to ſit and vote in all Queſtions in the Houſe of Commons.* The Reaſons for it are learnedly drawn up by Biſhop *Burnet* and Mr. *Collier*; we ſhall therefore give them in their own Words at full; obſerving that their Arguments turn on many Proceedings which have fallen in the Courſe of this *Parliamentary Hiſtory*. And firſt the Prelate.

'While the Parliament was ſitting, [the firſt Seſſion of the firſt Parliament in this Reign] they were not idle in the Convocation; though the Popiſh Party was yet ſo prevalent in both Houſes, that *Cranmer* had no Hopes of doing any Thing, till they were freed of the Trouble which ſome of the great Biſhops gave them. The moſt important Thing they did, was the carrying up four Petitions to the Biſhops, which will be found in the *Collection*, N°. 16. 1. That according to the Statute made in the Reign of the late King there might

might be Perſons impowered for reforming the Eccleſiaſtical Laws. 2. That, according to the antient Cuſtom of the Nation, and the Tenor of the Biſhops' Writ to the Parliament, the inferior Clergy might be admitted again to ſit in the Houſe of Commons, or that no Acts concerning Matters of Religion might paſs without the Sight and Aſſent of the Clergy. 3. That ſince divers Prelates and other Divines had been, in the late King's Time, appointed to alter the Service of the Church, and had made ſome Progreſs in it, that this might be brought to its full Perfection. 4. That ſome Conſideration might be had for the Maintenance of the Clergy the firſt Year they came into their Livings, in which they were charged with the Firſt Fruits; to which they added a Deſire to know whether they might ſafely ſpeak their Minds about Religion, without the Danger of any Law. For the firſt of theſe four Petitions, an Account of it ſhall be given hereafter: As to the ſecond, it was a Thing of great Conſequence, and deſerves to be farther conſidered in this Place. K. *Edward* VI.

'Antiently all the Freemen of *England*, or at leaſt thoſe that held of the Crown in Chief, came to Parliament; and then the inferior Clergy had Writs as well as the ſuperior, and the firſt of the Three Eſtates of the Kingdom were the Biſhops, the other Prelates, and the inferior Clergy: But when the Parliament was divided into two Houſes, then the Clergy made likewiſe a Body of their own, and ſat in Convocation, which was the Third Eſtate: But the Biſhops having a double Capacity, the one of Eccleſiaſtical Prelature, the other of being the King's Barons, they had a Right to ſit with the Lords as a Part of their Eſtate, as well as in the Convocation. And tho', by Parity of Reaſon, it might ſeem that the reſt of the Clergy, being Freeholders as well as Clerks, had an equal Right to chuſe, or be choſen, into the Houſe of Commons, yet whether they were ever in Poſſeſſion of it, or whether, according to the Clauſe *Premoncntes* in the Biſhops' Writ, they were ever a Part of the Houſe

Biſhop *Burnet's* Remarks on the Claim of the inferior Clergy, to have Repreſentatives in the Houſe of Commons.

K. *Edward* VI. of Commons, is a juſt Doubt. For beſides this Aſſertion in the Petition that was mentioned, and a more large one in the ſecond Petition, which they preſented to the ſame Purpoſe, which is likewiſe in the *Collection*, N°. 17, I have never met with any good Reaſon to ſatisfy me in it. There was a general Tradition in Queen *Elizabeth*'s Reign, that the inferior Clergy departed from their Right of being in the Houſe of Commons, when they were all brought into the *Præmunire* by Cardinal *Wolſey*'s Legantine Power, and made their Submiſſion to the King. But that is not credible; for as there is no Footſtep of it, which, in a Time of ſo much Writing and Printing, muſt have remained, if ſo great a Change had been then made; ſo it cannot be thought that thoſe who made this Addreſs but ſeventeen Years after that Submiſſion (many being alive in this who were of that Convocation; *Polydore Vergil* in particular, a curious Obſerver, ſince he was maintained here to write the Hiſtory of *England*) none of them ſhould have remember'd a Thing that was ſo freſh, but have appealed to Writs and antient Practices. But tho' this Deſign of bringing the inferior Clergy into the Houſe of Commons did not take at this Time, yet it was again ſet on Foot in the End of Queen *Elizabeth*'s Reign, and Reaſons were offered to perſuade her to ſet it forward; which not being then ſucceſsful, theſe ſame Reaſons were again offered to King *James*, to induce him to endeavour it. The Paper that diſcovers this was communicated to me by Dr. *Borlace*, the worthy Author of the Hiſtory of the *Iriſh* Rebellion. It is corrected in many Places by the Hand of Biſhop *Ravis*, then Biſhop of *London*, a Man of great Worth. This, for the Affinity of the Matter, and the Curioſity of the Thing, I have put into the *Collection*, N°. 18, with a large Marginal Note, as it was deſigned to be tranſcribed for King *James*: But whether this Matter was ever much conſidered, or lightly laid aſide as a Thing unfit and unpracticable, does not appear; certain it is, that it came to nothing. Upon the whole Matter,

Matter, it is not certain what was the Power or Right of these Proctors of the Clergy in former Times; some are of Opinion that they were only Assistants to the Bishops, but had no Voice in either House of Parliament [n]. This is much confirmed by an Act passed in the Parliament of *Ireland*, in the 28th Year of the former Reign, which sets forth in the Preamble, 'That though the Proctors of the Clergy were always summoned to Parliament, yet they were no Part of it, nor had they any Right to vote in it; but were only Assistants in Case Matters of Controversy or Learning came before them, as the Convocation was in *England*, which had been determined by the Judges of *England*, after much Inquiry made about it. But the Proctors were then pretending to so high an Authority, that nothing could pass without their Consents; and it was presumed they were set on to it by the Bishops, whose Chaplains they were for the most Part; therefore they were, by that Act, declared to have no Right to vote.' K. *Edward* VI.

'From this some infer they were no other in *England*, and that they were only the Bishops' Assistants and Counsel: But as the Clause *Premonentes* in the Writ seems to make them a Part of the Parliament, so these Petitions suppose that they sat in the House of Commons antiently; where it cannot be imagined they could sit, if they came only to be Assistants to the Bishops, for then they must have sat in the House of Lords rather, as the Judges, the Masters of Chancery, and the King's Counsel do. Nor is it reasonable to think they had no Voice; for then their sitting in Parliament had been so insignificant a Thing, that it is not likely they would have used such Endeavours to be restored to it, since their coming to Parliament upon such an Account must have been only a Charge to them.

'There is against this Opinion an Objection of great Force, from the Acts passed in the 21st Year of *Richard* the Second's Reign. In the second Act of that Parliament it is said, 'That it was first

[n] *Coke's 4th Institute*, 3, 4.

K. *Edward* VI. 'prayed by the Commons, and that the Lords Spi-
'ritual, and the Proctors of the Clergy, did aſſent to
'it; upon which the King, by the Aſſent of all the
'Lords and Commons, did enact it.' The 12th Act of that Parliament was a Repeal of the whole Parliament that was held in the 11th Year of that Reign; and concerning it it is expreſſed, 'That the Lords
'Spiritual and Temporal, the Proctors of the Cler-
'gy, and the Commons, being ſeverally examined,
'did all agree to it.' From hence it appears, that theſe Proctors were then not only a Part of the Parliament, but were a diſtinct Body of Men that did ſeverally, from all the reſt, deliver their Opinions. It may ſeem ſtrange that, if they were then conſidered as a Part of either Houſe of Parliament, this ſhould be the only Time in which they ſhould be mentioned as bearing their Share in the Legiſlative Power. In a Matter that is ſo perplexed and dark, I ſhall preſume to offer a Conjecture, which will not appear perhaps improbable. In the 129th Page of my former Part, I gave the Reaſons that made me think the Lower Houſe of Convocation conſiſted at firſt only of the Proctors of the Clergy; ſo that by the Proctors of the Clergy, both in the Statute of *Ireland*, and in thoſe made by *Richard* II. is perhaps to be underſtood the Lower Houſe of Convocation: And it is not unreaſonable to think that, upon ſo great an Occaſion as the annulling a whole Parliament, to make it paſs the better in an Age in which the People paid ſo blind a Submiſſion to the Clergy, the Concurrence of the whole Repreſentative of the Church might have been thought neceſſary. It is generally believed that the whole Parliament ſat together in one Houſe before *Edward* the Third's Time, and then the inferior Clergy were a Part of that Body without Queſtion: But when the Lords and Commons ſat apart, the Clergy likewiſe ſat in two Houſes, and granted Subſidies as well as the Temporality. It may paſs for no unlikely Conjecture that the Clauſe *Premonentes* was firſt put in the Biſhops' Writ for the ſummoning of the Lower Houſe of Convocation, conſiſting

sisting of these Proctors; and afterwards, though there was a special Writ for the Convocation, yet this might at first have been continued in the Bishops' Writ by the Neglect of a Clerk, and from thence be still used. So that it seems to me most probable, that the Proctors of the Clergy were both in *England* and *Ireland* the Lower House of Convocation. Now, before the Submission which the Clergy made to King *Henry*, as the Convocation gave the King great Subsidies, so the whole Business of Religion lay within their Sphere; but after the Submission they were cut off from meddling with it, except as they were authorized by the King: So that, having now so little Power left them, it is no Wonder they desired to be put in the State they had been in before the Convocation was separated from the Parliament; or at least that Matters of Religion should not be determined till they had been consulted, and had reported their Opinions and Reasons. The Extreme of raising the Ecclesiastical Power too high in the Times of Popery, had now produced another of depressing it too much; for seldom is the Counterpoize so justly balanced, that Extremes are reduced to a well-temper'd Mediocrity. K. *Edward* VI.

'For the third Petition; it was resolved, That many Bishops and Divines should be sent to *Windsor* to labour in the Matter of the Church Service. But that required so much Consideration, that they could not enter on it during a Session of Parliament. And for the fourth, what Answer was given to it doth not appear.'——So far Bishop *Burnet*.

The Rev. Mr. *Collier*, after giving us the Nature of the Petitions, in near the same Words as the Bishop, goes on thus: Mr. *Collier*, on the same Subject.

'That the Lower House of Convocation, in their Request for sitting with the Commons in Parliament, insisted upon nothing more than being restored to antient Privilege, appears by the King's Writ, directed to every Bishop: In which Summons the Bishop is first requir'd to appear in Person, at the Time and Place prefixed for the Parliament.

K. *Edward* VI. This Part of the Writ is the same in Substance with those sent to the Temporal Peers. After this follows the Premonitory Clause, in which the Bishop is commanded, 'To give Notice to the (Prior, or) Dean and Chapter of his Cathedral 'Church, and to the Archdeacons, and all the 'Clergy of his Diocese, that the (Prior) Dean, 'and Archdeacons in their own Persons, the Chapter by one, and the Clergy by two proper Proxies, 'sufficiently impowered by the said Chapter and 'Clergy, should, by all Means, be present at the 'Parliament with him, to do and consent to those 'Things, which, by the Blessing of God, by their 'common Advice, shall happen to be ordained in 'the Matters aforesaid: And that the giving this 'Notice should by no Means be omitted by him *.'

'If the Bishop happen to be beyond Sea, and in no Condition to execute the King's Writ, the Summons was sent to his Vicar-General; and by him the Clergy of the Diocese had the same Notice to come to Parliament, as if the Bishop had been at Home.

'In the Vacancy of a See, the Writ was directed to the Dean and Chapter, as Guardians of the Spiritualities. And thus the Clergy were always assured of being summoned to Parliament.

'The Bishop having received the King's Writ, communicated it to his Diocese, by transmitting Copies to the Prior, or Dean, and Archdeacons: To this there was a Mandate annexed, importing, 'That, by Virtue of his Majesty's Writ, he pre-'monished them, and by them the Chapter and 'Clergy, that themselves in Person, and their 'Chapter and Clergy by their Proctors, should 'take Care to be present at the Day and Place 'mentioned in the King's Writ, for the Ends and 'Purposes required of them.'

'The Bishops used sometimes to command their Clergy to make a Return of what they had done upon the Writ and Mandate. This Certificate was to be sent to the Bishop some Time before the Session

* *Prynne's Register*, Part I. p. 7, 8.

Session of Parliament. The Clergy having promised Obedience, in their Return, to the Diocesan, the Bishop certified the King what he had done pursuant to his Command; and of this we have an Instance as low as the Reign of King *Henry* VIII. K. *Edward* VI.

'The Clergy, thus summoned to Parliament by the King and Diocesan, met for the Choice of their Proxies. For this Purpose the Dean, or Prior, held his Chapter, and the Archdeacon his Synod: The Representatives, being chosen in these Assemblies, were sent up to the Parliament, with Procuratorial Letters from the Chapter and Clergy, to give them an Authority to act in their Names, and on the Behalf of their Electors.

'These Letters were for the most Part addressed to the King, though sometimes they began with a general Application, *To all Persons whom it may concern*; but still the Substance of them was to make, ordain, and appoint the Persons who were sent by them, 'Their Proctors to appear on their 'Behalf in Parliament, there to treat with the Prelates and Great Men of the Realm, of the Things 'to be debated there for the Interest of the King 'and Kingdom, and to consent to what should be 'agreed to on their Behalf; and to engage themselves to stand by what their Proctors should do, 'under the Caution of Forfeiture (many Times) 'of all their Goods.'

'There were usually two Copies of these Procuratorial Letters delivered to every Proxy; one of these was to be kept by this Representative, and the other put into the Hands of the Clerk of Parliament, in order to be inrolled.

'That the lower Clergy formerly sent their Representatives to Parliament, may be proved by a famous Resolution in *Bird* and *Smith*'s Case, in the Reign of King *James* I. Here the Lord-Chancellor *Egerton*; *Popham*, Chief Justice of *England*; *Coke*, Chief Justice of the Common Pleas; and *Fleming*, Chief Baron, besides other Things, resolved, That the Canons of the Church, made by the Convocation and the King, without a Parliament, shall bind

K. *Edward* VI. bind, in all Eccleſiaſtical Matters, no leſs than an Act of Parliament. As a Medium to prove this, they affirm the Convocation was once Part of the Parliament; and, ſince the lower Clergy were parted from the Houſe of Commons, they carried their Share of Legiſlature along with them into the Convocation. They founded their Reſolution farther, upon a celebrated Precedent of both Houſes of Parliament, *Anno* 21 *Henry* VIII. where, after a full Debate in a Conference, it was reſolved, That when the Convocation makes Canons concerning Matters within their Juriſdiction, they are binding to the whole Realm.

'To proceed: Records of the Procuratorial Letters above-mentioned run up as high as King *Edward* I. Through how many Reigns afterwards the Repreſentatives of the lower Clergy acted with the Temporal Commons in Parliament, is not eaſy to determine. 'Tis probably conjectured that, about the Time of King *Henry* VI. this Uſage began to be diſcontinued, and quite dropp'd by Degrees. The Clergy themſelves are thought to have contributed towards the parting with this Privilege. It ſeems they looked on their Parliamentary Attendance as a Kind of Burden, and therefore were not unwilling to be diſengaged.

'But whether they were in the Right, or not, is another Queſtion.

'Tho' the lower Clergy ſeem not to have come to Parliament for more than two hundred Years laſt paſt, the Kings, notwithſtanding, have ſtill continued to keep on their Right in the Writ of Summons, which has been executed by the Biſhops. The Premonitory Clauſe is ſtill the ſame it was three hundred Years ſince, except the Alteration of Priors into Deans. There are ſeveral Records to prove that the Biſhops' Mandates were ſent to the Deans and Archdeacons; that Proctors were choſen, and impowered to act for their Electors, to the End of the Reign of King *Henry* VII. 'There are likewiſe Inſtances to prove that the ſame Practice was kept on, from the Period laſt mentioned,

mentioned, to the Year 1640. This Premonitory Clauſe being ſtill inſerted in the Biſhops' Writ of Summons, 'tis concluded they may legally execute it, purſuant to antient Cuſtom, if they think fit. K. *Edward* VI.

'To proceed to another Branch of the Petition of the Lower Houſe of Convocation: That is, That Matters of Religion may be debated in their Houſe; that by this Means the Caſe may be fully diſcuſſed, the Controverſy cleared, and the Conſciences of People well ſettled. They likewiſe deſire, as hath been obſerved, that no Statutes, in which Religion, or the Intereſt and Juriſdiction of the Clergy, are nearly concern'd, may be enacted, till the Lower Houſe of Convocation have at leaſt examined the Bill, and reported their Reaſons upon it. To prove the lower Clergy not ill founded in this Requeſt, I ſhall inſert a Paper in the Records, drawn up by a very learned Hand, and lodged in the Paper Office, from whence I tranſcrib'd it [p]. The Deſign of it is to prove, that Matters relating to the Doctrine and Government of the Church ought to be determined by Eccleſiaſtics: And here the Reader will find the Imperial Conſtitutions, the Parliament-Rolls, and other valuable Authorities cited to this Purpoſe.'

Thus ends this learned Diſſertation; from which 'tis difficult to judge, whether that truly Proteſtant Biſhop, *Burnet*, or the Nonjuror, *Collier*, is the ſtiffer in defending this pretended Right of the inferior Clergy, to ſit and vote in Parliaments.

[p] This Paper is printed in *Collier*'s *Appendix of Records* to his ſecond Volume, p. 61.

Queen

Queen *MARY.*

Queen *Mary.* THE laſt King, *Edward*, dying in a State of Non-age, after he had been a long Time in a great Inability of Body, was prevailed upon, by the Artifices and unbounded Ambition of the Duke of *Northumberland*, to ſettle the Crown, by Will, on the Lady *Jane Gray*, eldeſt Daughter to *Henry Gray*, Duke of *Suffolk*, by *Frances*, Daughter of *Charles Brandon* and *Mary*, Siſter to King *Henry* VIII. And, to get the Reins of Government nearer his own Hand, the Duke had her married to the Lord *Guilaford Dudley*, his fourth Son; the three firſt being already in that State.

This was the boldeſt Step that ever was taken by a Subject; not only to ſet aſide King *Henry*'s Will, but alſo a ſolemn Act of Parliament, which had ſettled the Crown, in Failure of Iſſue by King *Edward*, on the Princeſſes *Mary* and *Elizabeth*, in Succeſſion; the now only remaining Children of King *Henry*. But graſping at too much Power, this ambitious Man loſt all; and, not only had his own Head taken off on a Scaffold, but involved his Son and the unfortunate Lady *Jane* in the ſame Ruin.

It is not in the Scope of this Hiſtory to deſcant any more on a Subject ſo well known to every common Reader of our *Engliſh* Annals. Sufficient it is to ſay, that *Mary*, after a ſhort Struggle againſt her, was recognized Queen of *England*, and crowned as ſuch, at *Weſtminſter*, on the firſt Day of *October*, in the Year 1553.

It is now we enter upon the Tranſactions of a Reign, ſo variouſly deſcribed, ſo praiſed or cenſured by Authors of different Perſuaſions in Religion, that it is difficult to come at Truth, undiſguiſed with Flattery or Invectives. The Popiſh Writers of the Reformation, or, as they term it, the *Engliſh* Schiſm, are

are but few in Number, in Compariſon of their Antagoniſts; amongſt whom *Nicholas Sanders* is the boldeſt Champion for that Cauſe. *John Foxe* appears at the Head of the Reformers. To ſteer ſafely between this *Scylla* and *Charybdis*, is an arduous Taſk; but, to avoid all Imputation of Partiality, we ſhall confine ourſelves, as much as poſſible, from any Reflections of our own, unleſs where the Subject Matter requires ſuch Explanation. Queen *Mary*.

As the Acts in the Parliaments of this Reign are directly repugnant to thoſe paſſed in the laſt, and great Part of the preceding one, Authors have not ſtuck to ſay that the Members of them were got together by undue Influence on the Electors, falſe Returns and illegal diſcharging of ſome of the Members. Biſhop *Burnet* has laid this heavy Charge on Queen *Mary*'s Miniſtry, from the Teſtimony of one *Beal*, Clerk of the Cloſet in Queen *Elizabeth*'s Time; and Mr. *Rapin*, our more modern Proteſtant Writer, has greatly enlarged upon it. As the Charge is very extraordinary, this laſt Author's own Words are the fitteſt to be made Uſe of on this Occaſion [q].

Rapin's Character of her firſt Parliament.

'The Court had reſolved to abrogate all the Laws made in Favour of the Reformation, and to reſtore the antient Religion. This was not to be done without the Concurrence of the Parliament. But if Elections had been left free, it would have been difficult, not to ſay impoſſible, for the Queen to ſucceed in her Deſign. The Number of the Reformed was, without Compariſon, greater than that of the Roman Catholics, and conſequently the Elections would not probably be favourable to her. But, beſides the ordinary Ways made Uſe of by Kings to have Parliaments at their Devotion, all Sorts of Artifices, Frauds, and even Violences, were practiſed in this. As Care was taken before-hand to change the Magiſtrates in the Cities and Counties, and there was not one almoſt but was a Roman Catholic, or had promiſed to be ſo, every Thing tending to the Election of Catholic Repreſentatives was countenanced. On the contrary, thoſe who were ſuſpected

[q] *Hiſtory of England*, Vol. II. p. 33.

Queen *Mary.* ed of an Inclination to chuſe Proteſtants, were diſcouraged by Menaces, Actions, Impriſonments, on the moſt frivolous Pretences. In ſeveral Places Things were carried with ſuch Violence, that Proteſtants were not allowed to aſſiſt in the Aſſemblies where the Elections were to be made. In ſhort, in Places where it was not poſſible to uſe theſe direct Means, by reaſon of the Superiority of the Reformed, the Sheriffs, devoted to the Court, made falſe Returns; that is, they ſent to Court the Names of ſome Perſons as if lawfully elected, tho' they had but an inconſiderable Number of Votes, or perhaps none at all. As the Diſputes ariſing from ſuch Elections can only be decided by the Houſe of Commons, it is eaſy to imagine that a Houſe, compoſed of ſuch Repreſentatives, failed not to approve all Elections favourable to the Court, and reject all others if the leaſt conteſtable. This is one of the greateſt Abuſes belonging to Parliaments, and which is but too frequent whenever the Kingdom is rent into Factions. By theſe Methods the Court ſecured a Houſe of Commons ready to comply with their Suggeſtions, and whoſe Members had an Intereſt in the Change of Religion, or were indifferent to all religious Eſtabliſhments.

'As to the Upper Houſe, which cannot be thus modelled to the Liking of the Court, the Queen probably laboured ſo ſucceſsfully to engage it in her Intereſts, that ſhe found no Oppoſition from the Peers. It is very ſtrange that the Lords, who but a few Months before were all Proteſtants, and had in their whole Body but ſeven or eight who uſually oppoſed the Laws made in *Edward*'s Reign in Favour of the Reformation, were become almoſt all zealous Catholics in Queen *Mary*'s. I pretend not to decide in which Reign they diſſembled their Sentiments; but it is too clear that in the one or the other they were guilty of a baſe and ſcandalous Prevarication. Mean while, to make this Houſe ſtill more complying, the Court took Care before-hand to make Changes amongſt the Biſhops in Favour of their Deſigns. Beſides both the Archbiſhops and the

Biſhops

Biſhops of *Glouceſter* and *Exeter*, in actual Impriſonment, ſix others had been changed, as has been obſerved; probably all the reſt, excepting two, were for preferring their Sees to their Religion. The two I except were *Taylor* Biſhop of *Lincoln*, and *Harley* of *Hereford*, who were even thruſt out of the Houſe the firſt Day, for refuſing to kneel at the Maſs. Such was Queen *Mary*'s firſt Parliament, compoſed of a Houſe of Commons, filled with the Creatures of the Court; and of a Houſe of Lords, who, through Fear, Avarice, or Ambition, diſſembled their Sentiments, or, a few excepted, thought all Religions alike. It is eaſy to foreſee what is to be expected from ſuch a Parliament.' Queen *Mary*.

On the other Side; it is to be obſerved that our Author has amply enlarged Biſhop *Burnet*'s Cenſures on his own ſingle Authority; for except the Affair of the Biſhops, which he has from *Foxe*, no other Writer is quoted for all the reſt. An Hiſtorian, of another Diſpoſition, acquaints us that this *Beal*, from whom Biſhop *Burnet* draws all his Information, was not only a bigotted Nonconformiſt, but, what is much worſe, a Man of a furious, tempeſtuous Spirit. That he miſbehaved himſelf to a ſcandalous Degree, and failed both in Temper and Honeſty; ſome Inſtances of which this Author hath given in the Courſe of his Hiſtory [q]: So that all this black Imputation ſtands upon the Credit of *Beal*'s ſingle Teſtimony, ſince no other Author of that Age, or near it, ſays any Thing of the Matter. And, upon the whole, it is not at all probable that the Government would venture upon ſtraining the Conſtitution, before they themſelves were ſettled, and begin ſo early with ſuch Acts of Violence in ſuch an unſteady Juncture of Time. Remarks thereon.

One Thing, indeed, our Right Reverend Author had much better Authority for inſerting, as a Prelude to the firſt Parliament of this Reign. Writs had been ſent out, dated at *Weſtminſter*, *Auguſt* 14, for one to meet, at the ſame Place, on the 5th of *October* following. In the mean Time it

[q] *Collier's Eccleſiaſtical Hiſtory*, Vol. II. p. 348.

Queen *Mary*. it was thought neceſſary the Queen ſhould be crowned, which was done on the firſt of that Month, as is before related; and, in order to ſoften the Minds of her Subjects, and diſpoſe them to a good Opinion of her Government, the Queen, by the Advice of *Gardiner*, Biſhop of *Wincheſter*, as is ſaid [r], not only put out a general Pardon, but publiſhed a Proclamation to this Effect [s]:

A general Pardon; 'That whereas the good Subjects of *England* 'had always exhibited Aid to their Princes, when 'the Good of the Public and Honour of the Realm 'required it; and the Queen, ſince her coming to 'the Crown, found the Treaſury was marvellouſly 'exhauſted by the evil Government of late Years, 'eſpecially ſince the Duke of *Northumberland* bore 'Rule [t]; though ſhe found herſelf charged with 'divers great Sums of her Brother's Debts, which 'for her own Honour, and the Honour of the 'Realm, ſhe determined to pay in Times conve-'nient and reaſonable; yet, having a ſpecial Re-'gard to the Welfare of her Subjects, and account-'ing their loving Hearts and Proſperity the chiefeſt 'Treaſure which ſhe deſired, next to the Favour 'and Grace of God, therefore ſince, in her Bro-'ther's laſt Parliament, two Tenths, two Fif-'teenths, and a Subſidy, both out of Lands and 'Goods, were given to him for paying his Debts, 'which were now due to her, ſhe, of her great And a Diſcharge of the laſt Subſidy. 'Clemency, did fully pardon and diſcharge theſe 'Subſidies; truſting that her ſaid good Subjects will 'have loving Conſideration thereof for their Parts, 'whom ſhe heartily requires to bend themſelves 'wholly to God, to ſerve him ſincerely, and with 'continual Prayer for the Honour and Advance-'ment of the Queen and the Commonwealth.'

This Relaxation of Taxes, according to Biſhop *Burnet*, was a Largeſs of an extraordinary Nature, pre-

[r] *Burnet*, Vol. II. p. 253.

[s] This Proclamation is printed at large in *Rymer*, Tom. XV. p. 335.

[t] He is called, in the Proclamation, that moſt *arrande Traitour*. And *Arrand* is ſtill a northern Word for a Spider; no doubt from the *Latin*, *Aranea*; ſo the Epithet here is *poiſonous*. An *arrant* Knave is commen in *Yorkſhire*.

prepared by *Gardiner*, againſt the Meeting of the Parliament; and, at the Time appointed, *viz.* *October* 5[u], the two Houſes met at *Weſtminſter*, when the State of the Peerage, in the Writs of Summons, was as follows: Queen *Mary*.

The QUEEN, &c. *to* William *Marquis of* Winchester, *Lord-Great-Treaſurer of* England, The Parliament meet at *Weſtminſter*, Anno Regni 1° 1553.

Thomas Lord *Fitzwater*,
Thomas Duke of *Norfolk*,
Henry Earl of *Arundele*,
John Earl of *Bedford*,
Edward Earl of *Derby*,
Henry Earl of *Suſſex*,
Francis Earl of *Shrewſbury*,
Henry Earl of *Rutland*,
Francis Earl of *Huntingdon*,
John Earl of *Oxford*,
William E. of *Worceſter*,
Henry E. of *Cumberland*,
Henry Earl of *Weſtmoreland*,
John Earl of *Bath*,
William E. of *Pembroke*,
Edward Earl of *Devon*,
Walter Viſc. *Hereford*,
Thomas Weſt, Lord *De la War*,
George Brook, Lord *Cobham*,
John Nevile, Lord *Latimer*,
Geo. Zouche, Ld. *Zouche*,
Hen. Parker, Ld. *Morley*,
Richard Rich, Ld. *Rich*,
William Lord *Willoughby*,
George Lord *Evers*,
George Lord *Darcey*,
Thomas Lord *Wharton*,
Henry Lord *Bergavenny*,
Thomas Lord *Sandys*,
John Lord *Mordaunt*,
Robert Lord *Ogle*,
William Lord *Burghe*,
John Lord *Bray*,
Thomas Lord *Vaux*, of *Harradon*,
William Lord *Wyndeſore*,
William Lord *Grey*, of *Wilton*,
Charles Lord *Stourton*,
William Lord *Dacres*, of *Gilleſland*,
Thomas Stanley, Lord *Monteagle*,
John Touchet, Ld. *Audley*,
Edw. Fenys, Lord *Clynton*,
Lord-High-Admiral of *England*,
Thomas Lord *Darcey*, of *Chiche*,
William Lord *Paget*, of *Beaudeſert*,
Thomas Lord *Wentworth*,
John Lord *Conyers*,
Henry Lord *Stafford*,
John Lord *Lumley*, of *Lumley*,
George Lord *Talbot*.

The

[u] *Grafton*'s *Chronicle* and *Dugdale*'s *Summons*, with the *Lords' Journals*, make it the 5th of *October*; Dr. *Heylin* and Biſhop *Burnet*, from *Foxe*, the 10th.

Queen *Mary*. The Parliament began with much Formality, a ſolemn Maſs of the Holy Ghoſt being ſung in *Weſtminſter* Church, according to the antient Cuſtom. The Queen rode thither in her Parliament-Robes, all the Biſhops and Lords in their Scarlet Robes attending, Trumpets blowing before them. When ſhe heard Maſs two Biſhops waited on her, one whereof deliver'd her the Chapter and other Things. Afterwards they all went to the Parliament-Houſe, the Earl of *Devonſhire* bearing the Sword, and the Earl of *Weſtmoreland* the Cap of Maintenance, before the Queen [x].

The *Journals* of the Houſe of Lords in this Parliament being loſt, there is no Light to be had from thence of their Proceedings [y]; but, from the imperfect *Journal* of the Houſe of Commons, ſomewhat may be gathered to our Purpoſe. It is to be obſerved that the Queen did not alter the Style that her Father and Brother *Edward* had taken, in the Writs for calling this Parliament; but the SUPREMUM CAPUT ECCLESIÆ ANG. was in them as uſual. The aforeſaid *Journal* acquaints us, that *John Pollard*, Eſq; was elected Speaker; and that, on the ſecond Day of the Seſſion,

JOHN POLLARD, Eſq; Speaker.

[x] *Strype's Eccleſiaſtical Memorials*, under *Mary*, Vol. III. p. 38.

[y] The Book of *Journals* of the Houſe of Lords, in this Reign, hath only this Beginning:

'The firſt Parliament-Roll of Queen *Mary*, remaining in the 'Chapel of the Rolls in *Chancery-Lane*, beginneth in theſe Words, 'viz.

'*In Parliamento inchoato & tento apud* Weſtmonaſterium *quinto* 'Die Octobris, *Anno Regni ſereniſſimæ & excellentiſſimæ Dominæ* 'noſtræ Mariæ, *Dei Gratia*, Angliæ, Franciæ, & Hiberniæ, *Reginæ*, 'Fidei Defenſoris, & in Terris Eccleſiæ Anglicanæ & Hiberniæ Su- 'premi Capitis, *primo*; & *ibidem continuato uſque in viceſſimum pri-* 'mum Diem ejuſdem Menſis tunc proxime ſequentis, *communi omnium* 'Procerum & Populi Conſenſu, & Regiæ Majeſtatis tum præſentis 'Aſſenſu, ſtabilita, inacta, & inordinata ſunt hæc ſubſequentia Sta- 'tuta, viz.' Then follow the Titles of the three Acts paſſed at this Seſſion.

The *Journals* of the Commons, for this Parliament, begin thus: 'The Parliament of the moſt virtuous and mighty Princeſs *Mary*, 'by the Grace of God, Queen of *England*, *France*, and *Ireland*, &c. 'before the Queen in her Royal Seat in the Parliament-Chamber; 'where the Biſhop of *Wincheſter*, Lord-Chancellor, after certain 'Cauſes ſhewed, by an eloquent Oration, for the calling of the Par- 'liament, declared the Queen's Pleaſure to be, that the Commons, 'at their accuſtomed Place, ſhould chuſe a Speaker.'

Seſſion, one Member moved for a Review of the Laws made by the late King *Edward*; which, after being argued a while, was for that Time laid aſide, and the Bill for Tonnage and Poundage put in inſtead of it. After this a Debate aroſe upon the Caſe of one Dr. *Nowel*, who was returned a Member for *Loo* in *Cornwall*, and being alſo a Prebendary of *Weſtminſter*, whether he could ſit in that Houſe? A Committee being appointed to ſearch for Precedents in this Caſe, it was reported, That the Doctor, being repreſented in the Houſe of Convocation, could not be a Member of that Houſe; and upon this he was expelled. The Bill for Tonnage and Poundage was ſent up to the Lords, who returned it to the Commons, to be reformed in two Proviſoes that were not according to former Precedents. How far, ſays Biſhop *Burnet*, this was contrary to the Rights of the Commons, who now ſay the Lords cannot alter a Money Bill, I cannot determine [y]. Queen *Mary*.

But the only public Bill which paſſed in this ſhort Seſſion, was repealing certain Treaſons, Felonies, and Premunires; by which it was ordained, That nothing ſhould be judged Treaſon, but what was within the Statute of Treaſons made in the 25th of King *Edward* III and that nothing ſhould be judged Felony that was not ſo before the firſt Year of King *Henry* VIII. excepting from any Benefit of this Act all ſuch as had been in Priſon before the laſt of *September*; who were alſo excepted out of the Queen's Pardon at her Coronation. Act for limiting of Treaſon and Felonies.

To make the better Way for this Bill to paſs, there were many Members in both Houſes who ſhewed themſelves exceeding hot againſt King *Henry*'s Laws, eſpecially ſuch of them as extended their Penalties to Death. Some of theſe zealous Speakers were of the Queen's Privy Council, and others were Lawyers; who, by this their Forwardneſs, were made ſoon after of her learned Counſel. They inveighed againſt them as cruel and bloody Laws. They termed them *Draco*'s Laws, which were

[y] *Hiſtory of the Reformation*, Vol. II. p. 253.

Queen *Mary.*

written in Blood. Some said they were more intolerable than any Laws that *Dionysius*, or any other Tyrant, ever made. 'As many Men, says an Historian [y], so many bitter Names and Invectives were bestowed on these Laws. Insomuch that one would have thought this Reign would have been more tender of Men's Lives than any before it.' But the Consequence will shew it much otherwise.

The Preamble to this Act declares, 'That the 'Queen, calling to her Remembrance that many 'Honourable and Noble Persons, and others of good 'Reputation, had lately, for Words only, suffered 'shameful Deaths, not accustomed to Nobles: 'Therefore, of her Clemency, and trusting her 'loving Subjects were contented that such dange-'rous and painful Laws should be abrogated, from 'henceforth no Act, Deed, or Offence, that had 'been by Act of Parliament made Treason, *&c.* 'by Words, Writing, Cyphering, Deeds, or other-'wise, should be taken, had, or deemed to be 'High Treason, Petty Treason, *&c.* provided 'that nothing in this Act should in anywise ex-'tend to give any Manner of Benefit, Advantage, 'or Commodity, to any Person or Persons, who 'were, on or before the last Day of *September*, 'arrested or imprisoned for Treason, or to any 'Person heretofore indicted of Treason, Petty 'Treason, *&c.* before the said last Day of *Septem-'ber*. All these were to suffer such Pains of Death, 'Losses, Forfeitures of Lands and Goods, as the 'Law, in such Cases of Treason, directed [z].' By which Act, says our Author, all those of King *Edward*'s Friends, Lady *Jane*'s Well-wishers, or Protestant Professors who had been taken up and crouded into Goals, could receive no Benefit by this wonderful Act of Clemency. Bishop *Burnet* also observes, That this Act of Repeal was no more than what had passed in the Beginning of the late King's Reign, without the Clog of such a severe Proviso; by

[y] *Strype's Memorials*, Vol. III. p. 39.
[z] *Statutes at large*, Anno 1 *Mariæ*, Sessio prima.

by which, he adds, many were cut off from the Favour designed by it, and argues very much like a Lawyer on that Subject [a]. Queen *Mary*.

Two private Bills were also passed in this Session; the one for the Restitution in Blood of the Lady *Gertrude Courtney*, Widow to *Henry Courtney*, late Marquis of *Exeter*, who had been attainted in the 32d Year of King *Henry*'s Reign; and the other for her Son, Sir *Edward Courtney*, Earl of *Devonshire*. After the Queen had given her Assent to those Bills, the Parliament was prorogued from the 21st to the 24th of *October*, that there might be, says Bishop *Burnet*, one Session of Parliament in this Reign, consisting only of Acts of Mercy.

When the Parliament met again, after this very short Prorogation, the Bill for Tonnage and Poundage was resumed in the House of Commons, and passed in two Days [b]. The next was a Bill about King *Henry*'s Marriage with the Queen's Mother, declaring the Queen's Highness, as the Title expresses it, to be born in lawful Wedlock. This Bill was sent down by the Lords on the 26th, and the Commons passed it, *Nem. Con.* on the 28th; so strangely, says *Burnet*, was the Stream turned, that a Divorce, which had been for seven Years much desired by the Nation, was now repealed on fewer Days Consultation. The Preamble to which Act has these remarkable Expressions: Act declaring the Queen's Legitimacy.

'That Truth, how much soever obscured and 'borne down, will, in the End, break out; and that 'therefore they declared, That King *Henry* VIII. 'being lawfully married to Queen *Katherine*, by 'Consent of both their Parents, and the Advice of 'the wisest Men in the Realm, and of the best 'and notablest Men for Learning in Christendom, 'did continue in that State twenty Years, in which 'God blessed them with her Majesty and other 'Issue, and a Course of great Happiness; but then

T 2 a very

[a] *Burnet*, p. 253.

[b] It was brought in on the 25th of *October*, and passed on the 27th. *Commons' Journals.*

Queen *Mary*. 'a very few malicious Perſons did endeavour to 'break that happy Agreement between them, and 'ſtudied to poſſeſs the King with a Scruple in his 'Conſcience about it; and, to ſupport that, did get 'the Seals of ſome Univerſities againſt it, a few 'Perſons being corrupted with Money for that 'End. They had alſo, by ſiniſter Ways and ſecret 'Threatenings, procured the Seals of the Uni-'verſities of this Kingdom: And, finally, *Thomas* '*Cranmer* did, moſt ungodlily and againſt Law, 'judge the Divorce, upon his own unadviſed Under-'ſtanding of the Scriptures, upon the Teſtimonies 'of the Univerſities, and ſome bare and moſt un-'true Conjectures; and That was afterwards con-'firmed by two Acts of Parliament, in which was 'contained the Illegitimacy of her Majeſty; but 'that Marriage, not being prohibited by the Law 'of God, could not be ſo broken; ſince what God 'had joined together no Man could put aſunder. 'All which they conſidering, together with the 'many Miſeries that had fallen on the Kingdom 'ſince that Time, which they did eſteem Plagues 'ſent from God for it; therefore they declare that 'Sentence given by *Cranmer* to be unlawful, and of 'no Force from the Beginning, and do alſo repeal 'the Acts of Parliament confirming it.'

A ſhort Remark of Mr. *Collier*'s may not be amiſs in this Place. This Writer ſays, 'That, by confirming the Marriage between King *Henry* and Queen *Katherine*, this Parliament did not only make themſelves Judges of the Scriptures' Meaning, and pronounce upon a Cauſe within the Verge of Eccleſiaſtical Juriſdiction; but, by this Act, they did acknowledge, tacitly, the Pope's Supremacy. It is certain that the Lawfulneſs of the Marriage ſtood upon the Diſpenſation of Pope *Julius* II. and therefore an Act, which declares the Marriage good, muſt, by Conſequence, acknowledge the Pope's Authority. But then, adds our Author, the Par-liament might found their Declaration upon that

Text

Text in *Deuteronomy*, xxv. 5 [c], and believe that King *Henry* the Eighth's Marriage with *Katherine* of *Spain*, his Brother's Widow, ſtood upon the Reaſon and Equity of that Law [d]. Queen *Mary*.

The next Bill that was ſent by the Houſe of Lords to the Commons was, for the repealing of King *Edward*'s Laws about Religion. It was ſent down, *October* 31, and argued for ſix Days in that Houſe; and, in the End, it was carried and paſſed into a Law. It declared the great Diſorders that had fallen out in the Nation, by the Changes that had been made in Religion, from that which their Fore-fathers had left them on the Authority of the Catholic Church. Thereupon all the Laws that had been made in King *Edward*'s Time about Religion were now repealed: And it was enacted, That, from the 20th of *December* next, there ſhould be no other Form of Divine Service but what had been uſed in the laſt Year of King *Henry* VIII. By which one Blow, ſays *Heylin* [e], was felled down all that had been done in the Reformation for ſeven Years before. And no leſs than nine Acts of Parliament, all made for the Eſtabliſhment of the Reformed Religion, were utterly repealed [f]. All Acts in Favour of the Reformation repealed.

By another Act, which paſſed the Lower Houſe, and was ſent up to the Lords, it was declared that all thoſe who, by any overt Act, ſhould moleſt or diſquiet any Preacher becauſe of his Office, or for any Sermon that he might have preached; or ſhould any Way diſturb him when he was in any Part of the Divine Offices, that either had been in the laſt Year of King *Henry*, or ſhould be afterwards ſet

c If Brethren dwell together, and one of them die, and have no Child, the Wife of the Dead ſhall not marry without unto a Stranger: Her Huſband's Brother ſhall go in unto her, and take her to him to Wife, and perform the Duty of an Huſband's Brother unto her.

d *Collier*'s *Eccleſiaſtical Hiſtory*, Vol. II. p. 350.

e *Hiſtory of Queen* Mary, p. 28.

f See the Titles of theſe Acts in the *Statutes at large*, An. primo *Mariæ*, Seſſio ſecunda.

Queen *Mary*.

forth by the Queen, or ſhould break or abuſe the Holy Sacrament, or break Altars, Crucifixes, and Croſſes; thoſe that did any of theſe Things ſhould be preſented to the next Juſtice of Peace, who was to impriſon them for three Months, or till they were penitent for their Offences; and if any reſcued them, they ſhould be liable to the ſame Puniſhment. To this a Proviſo was added by the Lords, That this Act ſhould no ways derogate from the Authority of the Eccleſiaſtical Laws and Courts, who might alſo proceed upon ſuch Offences. It is probable that ſome late Diſorders at St. *Paul*'s Croſs, where one *Bourn* had a Dagger thrown at him as he was preaching, occaſioned this Act.

Burnet obſerves, That the Commons were now ſo heated, that is, we preſume, ſo over-run with Zeal for the Catholic Cauſe, that they ſent up another Bill to the Lords, againſt thoſe who came neither to Church nor Sacraments, after the old Service ſhould be again ſet up; Puniſhments, in theſe Caſes, being left to the Spiritual Courts. But this fell in the Houſe of Lords; not ſo much, adds this Author, out of any Oppoſition that was made to it, but they were afraid of alarming the Nation too much, by too many ſevere Laws at once[g].

Act relating to Riots.

Beſides theſe Laws, which were made in order to bridle the Reformers in Church-Affairs, there was another introduced for the Security of the public Peace. This was another Revival of a Riot Act, or againſt unlawful and rebellious Aſſemblies. By this Statute it was enacted, 'That if any, to the Number of twelve or above, ſhould meet to alter any Thing eſtabliſhed by Law, relating to Religion, and being required by any, having the Queen's Authority, to diſperſe themſelves, and ſhould continue together after that one Hour, it ſhould be Felony. If the ſame Number met to break Hedges or Parks, to deſtroy Deer, Fiſh, &c. and did not diſperſe upon Proclamation, it ſhould be Felony. If any,

[g] *Hiſtory of the Reformation*, Vol. II. p. 255.

any, by ringing of Bells, Drums, or firing of Beacons, gathered the People together, and did the Things before-mentioned, it was Felony. If the Wives or Servants of Perſons, ſo gathered, carried Money, Meat, or Weapons to them, it ſhould be Felony. And if any, above the Number of two, and within twelve, ſhould meet for theſe Ends, they ſhould ſuffer a Year's Impriſonment; impowering the Sheriffs or Juſtices to gather the Country for the Reſiſtance of Perſons ſo offending, with Penalties on all, between Eighteen and Sixty, that, being required to come out againſt them, ſhould refuſe to do it. And this Act is ordered to be read and publiſhed at every Quarter-Seſſion, and at every Leet and Law-Day.' Queen *Mary*.

Biſhop *Burnet* paſſes a ſevere Cenſure on this Act, which muſt not be omitted. He ſays, That when it was publiſhed, the People then ſaw clearly how they had been deceived by the former Act, which ſeemed ſo favourable, repealing all former Acts of Treaſons and Felonies; ſince there was an Act paſſed, ſo ſoon after it, that renewed one of the ſevereſt Laws of the laſt Reign; in which ſo many Things were made Felonies that might flow from ſudden Heats, and a great many new and ſevere Proviſoes were added to it.

Two private Bills occaſioned more Debate in the Houſes than the public ones had done. The firſt was for repealing an Act for confirming the Marquis of *Northampton*'s ſecond Marriage, whilſt his firſt Wife was alive. This Affair made a great Noiſe at that Time; but we ſhall paſs it over to come to a Bill of ſtill a more public Nature, which was to repeal the Attainder of the Duke of *Norfolk*.

The Reader may remember that the very laſt Act of State, done by King *Henry* VIII. was ſigning a Bill for the Attainder of that Nobleman; who was to have been executed, as his Son the Earl of *Surrey* had been, if Death itſelf had not brought him a Reprieve by taking King *Henry* before him.

Queen *Mary*. him. The Duke was kept close Prisoner in the *Tower* all the last Reign; and, being a zealous Catholic, *Mary* thought a Person of his great Rank and Fortune would add a Weight to her Designs: But the Bill for reversing this Attainder met with much Opposition in the House of Commons. The Patentees, who had purchased some Parts of the Duke's Estate from the Crown, desired to be heard by their Counsel against it. And, the Session of Parliament being near at an End, the Duke came down himself to the House of Commons, *Dec.* 14, and earnestly desired them to pass his Bill; declaring that the Difference between him and the Patentees was referred to Arbitration; and, if they could not agree, he would refer it to the Queen: But, after this, it was long argued, tho' in the End it was agreed to, and the Bill was passed.

The *Journal-Book* of the Lords, tho' it is deficient in the Acts of the first and second Sessions of this Parliament, yet hath inserted in it the Preamble to this Act of Reversion, which we shall give in its own Words:

The Duke of *Norfolk*'s Attainder revers'd.

'And may it please your Highness that it be declared by the Authority of this present Parliament, 'that the Law of this Realm is, and always has 'been, that the Assent and Consent of the King of 'this Realm to any Act of Parliament ought to 'be given in his own Royal Presence, being perso-'nally present in the Higher House of Parliament, 'or by his Letters Patent under his Great Seal, 'assigned with his Hand, declared and ratified in his 'Absence to the Lords Spiritual and Temporal, 'and the Commons assembled together in the 'Higher House, according to the Statute made in 'the 34th Year of the Reign of the said late King '*Henry* VIII. in that Case made and provided.'

Another Exception made to the Act of Attainder, and mentioned in the *Journal*, was because the King's Stamp, expressing his Name, was only put to it, not signed with his own Hand, and that was set at the Bottom of the said Act, and not above:

By

By which it does not appear that the King ever gave his Assent to it; and since there was nothing charged against the said Duke but some pretended Reasons for using Coats of Arms, which he and his Ancestors had and might lawfully use: And that the Lord *Paget*, late Secretary of State to King *Henry*, came into the House of Commons also, and deposed upon his Honour, That the said Letters Patent for the passing this Act were not signed with the King's Hand, but only the Stamp put to them by one *William Clerk* [h]. The King also dying the Night after, the whole shewed that it was disorderly done; and therefore that pretended Act is declared void and null by the Common Laws of the Land.' Queen *Mary*.

The last Act which comes under our Notice [i], was a Confirmation of the Attainders which had been made, in a Trial at Bar, against Archbishop *Cranmer*, the Lord *Guildford Dudley*, and the Lady *Jane* his Wife, *&c.* They had all confessed their Indictments, and by this Act they were attainted of High Treason; for levying War against the Queen, and conspiring to set up another in her Room. The Lord and Lady were beheaded, but *Cranmer*, being divested from his Bishopric by this Act, was kept in Prison till he suffered a more dreadful Execution afterwards. Other Acts of Attainder confirmed.

About this Time it was that the Queen had been follicited to marry, and three Persons were secretly proposed to her for a Match: These were *Courtney* Earl of *Devon*, Cardinal *Pole*, and *Philip*, eldest Son to the Emperor *Charles* V. It was thought that her Inclinations stood most for the young Earl of *Devonshire:* He was a fine Person, and of Royal Extraction, his Grand-Mother being Daughter to King *Edward* IV. It is said this Nobleman had received some intelligible Invitation to this Match from the Queen herself; but he declined it, and desired

[h] *Dyer's Reports*, Anno 1 *Mariæ*, Fol. 93.

[i] This Act is recited at Length in a Proclamation for a general Pardon, dated *Jan.* 13, *Anno Regni* 1. *Fœd. Ang.* Tom. XV. p. 361, *&c.*

Queen *Mary*. desired Leave to address the Lady *Elizabeth*, which much displeased her elder Sister. It was objected against Cardinal *Pole*, that he was advanced in Years, and so much given to his Study and Devotion, as to be noways fit for her Husband or the Regal Dignity. *Philip* of *Spain* was deemed preferable in all Respects; he was Heir to the greatest Monarch in *Europe*, bred to the Business of a Crown; of an enterprizing Genius; and, since the National Affairs required a Person of his Power, it was urged, that, by such an Alliance, the Trade of the Kingdom would be extended, and the public Interest considerably advanced. But notwithstanding the Complacency this Parliament shewed to the Queen and her Ministry, the Rumour being spread that she was going to marry *Philip*, the House of Commons were much alarmed, and came to a Resolution to address the Queen against it. Accordingly they sent their Speaker, with twenty of that House, with an earnest and humble Address to her not to marry a Stranger. What Answer they received is not known; but it may well be imagined no good one, for when the Court perceived their Inclinations in this Matter, and that more was not to be expected from them, on the 6th Day of *December* the Queen came to the House of Peers and dissolved this Parliament, after having given the Royal Assent to thirty one Acts, according to the *Commons' Journal*; though the *Statute-Books* mention only eighteen.

The Commons address the Queen against marrying *Philip* of *Spain*.

An Historian[k], before quoted, hath given us some farther Account of the Debates in the Lower House, about this *Spanish* Match, from a Manuscript of a Member of this very Parliament; who writes thus; 'Do you remember, at that Time, 'the Motion of the Speaker, and the Request of 'the Commons' House, what they did and could 'have moved then? And how they all ran one 'Way, like the Hounds after the Hare, High and 'Low, Knights, Esquires, and Burgesses, such as 'were

[k] *Strype's Eccles. Memorials*, Vol. III. p. 55. From a Manuscript of Sir *Thomas Smith*.

'were of the Privy Council, and others far and near? Whom preferred they, I pray you then, if Men could have had their Wish, the Stranger or the *Englishman?* And think you they did not consider her Majesty's Honour, *&c?* And when Somebody in the House had endeavoured to reconcile the rest to this Marriage, by shewing how safe the Nation might make itself, by Bonds and Covenants which this Prince should enter into with the Queen, one Member stood up, and asked this smart Question; 'In Case, said he, the Bonds should 'be broken between the Husband and the Wife, each 'of them being Princes in their own Country, who 'shall sue the Bonds? Who shall take the Forfeit? 'Who shall be their Judges? And what shall be the 'Advantage?' Our contemporary Writer look'd upon this to be a shrewd Question; and concludes that no other Answer could be given to, 'What Advan-'tage? None, but Discord, Dissention, War and 'Blood-shed; and either extreme Enmity, or that 'one Part must at length break or yield.' Queen *Mary*.

In this Humour was this first Parliament of Queen *Mary* dissolved; which shews plainly that the Members of it were not so subservient to Court-Measures, that they could even forget they were *Englishmen* to oblige the Ministry. But Matters of State made it absolutely necessary that a new Parliament should be called very soon; the Affair of the Marriage, which was now agreed on at Court, and must be finished with the Consent of both Houses, pressing for it. Bishop *Burnet* insinuates [1], that the Chief Minister, *Gardiner*, had informed the Emperor, that the Marriage was like to meet with great Opposition, unless extraordinary Conditions were offered; such as all should see were much to the Advantage of the *English* Crown; otherwise it could not be carried without a general Rebellion. He also assured the Imperial Court, that if great Sums of Money were not sent over, to gratify the chief Nobility and leading Men in the Country, both The Parliament thereupon dissolved.

[1] *History of the Reformation*, Vol. II. p. 261.

Queen *Mary*. both for obliging them in his Intereſt, and enabling them to carry Elections for the next Parliament, the Oppoſition would be ſuch, that the Queen muſt lay down all Thoughts of marrying Don *Philip*. Accordingly, the ſame Authority aſſures us, that a mighty Sum was ſent over, amounting to four hundred thouſand Pounds *Engliſh* Money; which, he adds, no one will think an extraordinary Price, when he conſiders that *England* was to be bought with it. With this Money *Gardiner* is ſaid to have corrupted many; inſomuch that, in the Court of Chancery, common Juſtice was denied to all but thoſe who came into theſe Deſigns.

Thus does this Right Rev. Author carry on his Invectives, without mentioning any Authority for it but his own; which gives an impartial Reader ſome Room to doubt of his Sincerity. We have taken Notice, that the laſt Parliament was as obſequious to the Court as poſſible, except in the Affair of the Marriage, and yet he does not charge the Miniſtry with Bribery in carrying the Elections for it. But whether the Way was paved with *Spaniſh* Gold in this Manner or not, 'tis certain that a Parliament was called by Writs dated at *Weſtminſter*, *February* 20, to meet at *Oxford* on the 2d of *April* following, which was ſtill in the firſt Year of this Queen. *Grafton* informs us, That this Call to *Oxford* was occaſioned by a Diſtaſte that the Queen had taken againſt the *Londoners*, as being Favourers of *Wyat*'s Rebellion, which was juſt then quaſhed; but though great Preparations were made for the Meeting at *Oxford*, it was held at *Weſtminſter*, at the Time appointed, by Adjournment [m].

A new Parliament at *Oxford*, but adjourned to *Weſtminſter*. Anno Regni 1. 1554.

The *Journal-Book* of the Peers begins this Parliament but lamely, tho' it goes on regularly, *de Die ad Diem*, afterwards. For tho' the Receivers and Triers of Petitions are mentioned, as formerly, yet there is no Speech from the Lord Chancellor, nor no Speaker of the Houſe of Commons choſen, as is uſual. But the *Commons' Journal* acquaints us, that the Knights, Citizens, and Burgeſſes, choſe *Robert*

[m] *Grafton* and *Hollingſhead*.

Robert Brook, Esq; Serjeant at Law and Recorder of *London*, for their Speaker, who made an eloquent Speech to the Queen on that Occasion; and that the Purport of the Lord-Chancellor's Oration to both Houses was, to declare, That this Parliament was called for the Corroboration of true Religion, and concerning the Queen's Highness most noble Marriage. Queen *Mary*. Rob. Brook, Esq; chosen Speaker.

The first three Days seem to have been wholly taken up in reading Writs for appointing Proxies, and introducing some new Peers into that House; and, *April* 5, the Lord-Chancellor declared to the House, that, by reason of the high Winds and Inclemency of the Weather [n], the Queen could not, without some Danger to her Person, come down to *Westminster*; therefore, in her Majesty's Name, he adjourned the Parliament to *Whitehall*, to meet the next Morning at Nine o'Clock.

Our Right Reverend Historian begins this Parliament with a further Account of Bishop *Gardiner*'s Briberies and Corruptions, by acquainting us, That the Members were all prepared before-hand, by very considerable Presents; some, he says, had 100*l.* some 200*l.* a Year for giving their Voices in the Article of the Marriage. He proceeds to tell us, that the first Act that passed was to declare the Queen's Right of Succession to the Crown [o]. Indeed it stands so in the printed *Statutes*; but if we may credit the *Lords' Journal*, the very first Bill that was brought into that House, and which was on the 7th of *April*, was to confirm certain Articles and Agreements touching the Marriage between the Queen's most excellent Highness and the Prince of *Spain*. It was read once on that Day, and committed to the Earl of *Shrewsbury*, the Bishops of *Durham* and *Worcester*, the Lords *Rich*, *Paget*, and *Williams*. On the 9th, being *Monday*, the Bill was read again; the next Day it passed that House, and was sent down to the Commons, who returned it Act relating to the Queen's Marriage with *Philip* of *Spain*.

[n] *Propter nimium Ventum et Cœli Intemperiem.*

[o] His Copier, *Rapin*, is guilty of the very same Mistake, Vol. II, p. 38.

Queen *Mary*. it concluded on the 12th; so that it is plain that this was the first Thing they went upon, and carried through both Houses with all possible Expedition.

If our learned Writer had not quoted from the *Journals* of the Lords hitherto, we might well imagine he had never seen them. For, in his Account of the Proceedings of this first Session, he never once mentions this Act for confirming the Marriage; which was a Matter of such Consequence, as is unpardonable in so particular an Historian to omit. Instead of this, he seems to be chiefly hunting after Blots and Stains in this Reign, in order to make his own Reformation History appear with the greater Lustre. A Man may be a severe Enemy to the Measures taken in Queen *Mary*'s Days, to restore Popery in this Kingdom, and yet, at the same Time, so great a Friend to Truth as to relate Things as they happened.

Dr. *Heylin*, though he had not those Helps and Assistances the other met with in his History of this Reign, begins the Proceedings of this Parliament with the Bill for the Marriage, as the principal Reason for which it was called. That Author hath also left us an Abstract of the Act itself, by which this famous Marriage was concluded; and the Articles are so extraordinary as to challenge a Place in these Inquiries [p].

First, 'That *Philip* should not advance any 'Person to any public Office or Dignity in *Eng-* 'land, but such as were Natives of the Realm, and 'the Queen's Subjects: That he should admit a set 'Number of *English* into his Household, whom he 'should use respectfully, and not suffer them to be 'injured by Foreigners: That he should not trans- 'port the Queen out of *England*, but at her Intreaty; 'nor any of the Issue begotten on her, who should 'have their Education in this Realm, and should 'not be suffered, but upon Necessity and good Rea- 'sons, to go out of the same, nor then either but 'with

[p] *Heylin*'s *History of Queen* Mary, p. 37. There are other Articles, relating to Affairs abroad, which are in most of our Historians.

'with the Consent of the *English*: That the Queen deceasing without Children, *Philip* should not make any Claim to the Kingdom, but should leave it freely to him to whom of Right it should belong: That he should not change any Thing in the Laws, either public or private, nor the Immunities and Customs of the Realm; but should be bound by Oath to confirm and keep them: That he should not transport any Jewels nor any Part of the Wardrobe, nor alienate any of the Revenues of the Crown: That he should preserve our Shipping, Ordnance, and Munition, and keep the Castles, Forts, and Block-Houses in good Repair, and well manned. Lastly, That this Match should not any way derogate from the League lately concluded between the Queen and the King of *France*; but that the Peace between the *English* and the *French* should remain firm and inviolate.' Queen *Mary*.

We will now see how Bishop *Burnet* sets off in his Account of this Parliament; who, without taking any Notice of the above cited grand Affair, enters upon a more secret History, as follows[q]:

'The first Act that passed in this Session of Parliament seemed of an odd Nature, and has a great Secret under it. The Speaker of the House of Commons brought in a Bill, declaring, That whereas the Queen had of Right succeeded to the Crown, but because all the Laws of *England* had been made by Kings, and declared the Prerogative to be in the King's Person, from thence some might pretend that the Queen had no Right to them; it was therefore declared to have been the Law, that these Prerogatives did belong to the Crown, whether in the Hands of Male or Female; and whatsoever the Law did limit and appoint for the King, was of Right also due to the Queen, who is declared to have as much Authority as any of her Progenitors.' Another, relating to the Prerogative.

Many of the House of Commons wonder'd what was the Intention of such a Law; and, adds our Au-

[q] *History of the Reformation*, Vol. II. p. 277.

Queen *Mary*. Authority, as People were at this Time full of Jealousy, one *Skinner*, a Member of that House, said, 'He could not imagine why such a frivolous Law 'was desired, since the Thing was without Dispute, and that which was pretended of satisfying 'the People was too slight: He was afraid there 'was a Trick in these Words, *That the Queen had* '*as great an Authority as any of her Progenitors*; 'on which perhaps it might be afterwards said, she 'had the same Power as *William* the Conqueror 'exercised, in seizing the Lands of the *English*, and 'giving them to Strangers; which also *Edward* I. 'did on his Conquest of *Wales*. He did not know 'what Relation this might have to the intended 'Marriage; wherefore he warned the House to 'look to it.' On this a Committee was appointed to correct the Bill, and such Words were added as brought the Queen's Prerogative under the same Limitation, as well as exalted it to the Heighth, of her Progenitors.

It would have been well if our learned Historian had given us his Authority for this Speech of Mr. *Skinner*, and the Consequences of it; however, we shall not dispute its Veracity, and only repeat what is said before, that it was not the first Bill that passed both Houses; for it was introduced and read once in the House of Lords on the 10th of *April*, the Day that the Marriage-Bill passed that House, and was not concluded till some Days after the other had passed both Houses.

But, after all, there is a better Reason given for the Necessity of passing this Act than any our Prelate has advanced; which was, to prevent any Disturbance that might arise from an Opinion broached by some of Queen *Mary*'s Enemies at that Time, *That it was unlawful for a Woman to govern*; to prove which the famous *Knox* and some other Reformers published Books expresly for that Purpose [r].

There was another Bill brought into the Lords, which seemed a Compliment to King *Philip*; it declared

[r] *Kennet*'s *History of England*, Vol. II. p. 344, Note *(i)*.

declared the compaſſing or imagining the Death of the Queen's Huſband to be Treaſon whilſt ſhe was living: But, though it paſſed this Houſe, we do not find that it became a Statute; and, there being no Mention of it in the Catalogue of the Acts at the End of this Seſſion, nor in the *Journals* of the Commons, we may conclude the Bill was not ſent down to that Houſe. Queen *Mary*.

An Act for reſtoring the Biſhopric of *Durham* to its priſtine State, by repealing two Acts made in the laſt Reign for its Diſſolution, was alſo paſſed. In the Houſe of Commons this Bill met with great Oppoſition from the Town of *Newcaſtle*, becauſe they had purchaſed, under the Diſſolution Act, the Town of *Gateſide*, and the *Salt Meadows*, *&c.* which occaſioned *Tunſtal*, Biſhop of *Durham*, to come down to that Houſe; where, in a long Speech, he gave them an Account of the Troubles he had been under from the late Duke of *Northumberland*, and deſired that they would diſpatch the Bill: Yet ſtill it was debated, and, the Houſe dividing, it was carried in the Affirmative by 201 againſt 120. The Biſhopric of *Durham* re-eſtabliſhed.

This is our Prelate's Account, but he is much ſhorter in the Affair than he ſhould be; the Preamble to this Bill is very remarkable, and ſets forth [s],

'That certain ambitious Perſons taking Advantage of the late King's Minority, made an Intereſt, by ſiniſter Practice, to procure the Diſſolution of the Biſhopric; that it was done out of mercenary Views, to enrich themſelves and their Friends, by ſeizing the Lands of that See, rather than upon juſt Occaſion or godly Zeal: That *Tunſtal*, Biſhop of *Durham*, was deprived upon untrue Surmizes and falſe Accuſations, and that the Proceſs againſt him was foul and illegal: That, upon a full Examination of the Matter by the Queen's Commiſſioners, the Sentence of Deprivation was declared void, as may be ſeen at large

[s] *Statutes at large*, Anno 1mo *Mariæ*, Seſſio 2da, cap. iii.—*Collier*, p. 366.

Queen *Mary*. 'large by an authentic Inſtrument: That the 'Queen had new-founded the Biſhopric by her 'Letters Patent, and reſtored all the Lands in her 'Poſſeſſion: But that neither the Reverſal of the 'Sentence of Deprivation, nor the Queen's Letters Patent, were of ſufficient Force to recover 'the Honours, Lands, &c. to the See of *Durham*; 'therefore, to reſtore the Biſhopric to its former 'Intereſt, Privileges, and Revenues, the two Diſſolution Statutes of the laſt Reign were hereby 'repealed.'

But to conclude this Affair: Dr. *Heylin* remarks, That, by gaining this Point, the Court had one Vote more in the Houſe of Lords; and by the Conſecration of ſeveral new Biſhops, with the Creation of ſome new Lords, the Intereſt of the Popiſh Cauſe, in that Houſe, was much augmented.

The Commons ſent up a Bill for reviving the Statutes made againſt *Lollardy*; which, being read twice by the Lords, was laid aſide. The *Lords' Journals* tell us, That a Bill againſt Hereſies and erroneous Preachings was ſent up, and at the third Reading it was thrown out by a Majority of that Houſe. Biſhop *Burnet* inſinuates that the Commons intended next to have revived the Statute of the ſix Articles; but it did not agree with the Deſigns at Court to take any Notice of King *Henry*'s Laws, and therefore it was dropp'd [t]. So forward, adds our Author, were the Commons to pleaſe the Queen, or ſuch Operation had the *Spaniſh* Gold on them, that they contrived four Bills, in one Seſſion, for the Proſecution of thoſe called Heretics.

Bills for puniſhing of Hereſy.

But, in order to take off the Imputation of too great Partiality in the Houſe of Commons, though a Motion was made in that Houſe for a Bill to reſtore the Pope's Power in *England*, yet another, of a contrary Nature, was reſolved on; which was, That neither the Biſhop of *Rome* nor any other Biſhop ſhould have any Power to convene or trouble any

[t] It was brought into the Houſe of Commons and read once, *April* 17; but we hear no more of it at this Time. *Com. Journ.*

any Person for possessing Abbey-Lands. It passed the Commons on the 27th of *April* [u], and was sent to the Lords, but set aside for that Time, Assurance being given that the Owners of those Lands should be fully secured. The Title of this Bill, in the *Lords' Journal*, is, That no Bishop [without mentioning of *Rome*] shall convene any Person for the Abbey-Lands; and it is reasonable to suppose that since, by Laws then in Force, the Bishop of *Rome* had no Authority at all in *England*, it was needless to make an Act in that Particular against him [x]. This rather seemed, says our Prelate, to assert his Power in other Things; and since the Court was resolved to reconcile the Nation to him, it was said that it would be indecent to pass an Act that should only call him *Bishop of Rome*, which was the Appellation given him during the Schism; and it was preposterous to begin with a Limitation of his Power before they had allowed his Authority. Queen *Mary*.

To bring this Session to a Conclusion. On the 4th of *May* a Bill was sent up to the Lords by the other House, confirming the Attainder of the late Duke of *Suffolk*, Sir *Thomas Wyat*, and others: It was read thrice that Day, and committed to the Attorney-General to carry down to the Commons, with this Request, that these Words, [*and forasmuch as divers of the same Traitors*] with seventeen Lines to the End of the Bill, might be wholly put out. The *Journals* of the Commons inform us, that it was not till the last Day of the Session this Objection of the Lords was debated in that House; when, upon the Question, the Clause for forfeiting entailed Lands, contained in the Bill, was agreed, by a Majority, to be kept in. In all Probability this was the Reason why the Bill did not pass into a Law at that Time, for it is not mentioned in the Catalogue of Acts in the *Lords' Journal*; and this, or another Act of like Nature, was not carried through till the next Parliament.

[u] *Journals of the Commons.*

[x] It passed the House of Commons under the Title of *Bishop of Rome.*

Queen *Mary*. As this is expreſly againſt the Authority of Biſhop *Burnet*, it may be obſerved again that this Hiſtorian is not always ſo exact as he ought to be [y].

Another Act was paſſed for the Reſtitution in Blood of Sir *William Parr*, late Marquis of *Northampton*, attainted and condemned for aiding and aſſiſting the late Duke of *Northumberland*, in his Support of the Lady *Jane Gray*.

A Point of Privilege.

Mr. *Beaumont*, a Member of the Houſe of Commons, having ſerved a *Subpœna* on the Earl of *Huntingdon* in Parliament-time, the Lords were offended; and, *April* 17, they ſent ſome of the Judges to the Lower Houſe, bringing the *Subpœna* with them, and prayed the Order of the Houſe for that Offence. After ſome Debate it was reſolved, That eight Members of the ſaid Houſe ſhould declare to the Lords, *That they took the executing this Writ to be no Breach of Privilege* [z].

The Parliament diſſolved.

May 5. The Bills, to the Number of fifteen, being all ready for the Royal Aſſent, the Queen came to the Houſe and paſſed them; and then commanded the Lord-Chancellor to diſſolve this Parliament.

The Queen married to *Philip* of *Spain*.

The Marriage being now agreed to by the Conſent of the whole Realm in Parliament, Prince *Philip* landed at *Southampton* on the 20th Day of *July*, and was eſpouſed to the Queen at *Wincheſter* on the 25th of the ſame Month, in the Year 1554; after which they were both proclaimed by theſe Titles [a]:

PHILIP *and* MARY, *by the Grace of God, King and Queen of* England, France, Naples, Jeruſalem, *and* Ireland, *Defenders of the Faith*; *Princes of* Spain *and* Sicily; *Archdukes of* Auſtria; *Dukes of* Milan, Burgundy, *and* Brabant; *Counts of* Haſpurg, Flanders, *and* Tyrol.

The

[y] *Burnet's Reformation*, Vol. II. p. 279.

[z] From the *Commons' Journals*.

[a] *Grafton's Chron. ſub hoc Anno*. The Proclamation, with the Stile in *Latin* and *Engliſh*, is in *Rymer*, Tom. XV. p. 274.

The Solemnity of this great Marriage being over, and some other Matters of State settled, their United Majesties thought proper to call a new Parliament the next Winter, by Writs bearing Date *Sept.* 25, to meet at *Westminster* on the 11th of *November* following. It is to be observed that in these Writs, as well as in the foregoing Royal Style, the Title of *Supreme Head of the Church* was omitted; tho' it was still, by Law, united to the other Royal Titles. And this, Bishop *Burnet* observes, was urged as a good Reason for annulling the Statutes of this Parliament, in the Beginning of the next Reign; because it was not called by a lawful Writ. *Philip* and *Mary*. Writs issued for a new Parliament.

A later Ecclesiastical Historian [a], of the same Times, tells us, 'That the Queen wanting fit Parliament-Men for her Purpose, sent out her private Letters to all the Sheriffs to deal with the People for electing such Members as would do her Work. And, that the Commons might be the better drawn to it, they were to assure the People, that it was not the Queen's Intention to take away any Man's Possessions, many of which came to them by the Dissolution of Monasteries, or from the Church; and to labour to free the People from other Rumours spread abroad.' Our Author hath given us a Copy of the Queen's Letter on this Occasion, which we think very pertinent to these Inquiries. It is needless to observe to the Reader, that this very same Stretch of the Prerogative had been practised in the last Reign; but by comparing King *Edward*'s Letters with the following, a very sensible Difference will be found [b].

By the QUENE.

The Queen's Letter to the Sheriffs for electing Catholic Members.

Trusty and Well-beloved, we grete you well. And where among other Matters for the Prosperity and Commodity of our Realme, we intend principally the Restitution of God's Honour and Glory, whom we acknowledge our cheif Author and Helper, as well in bringing us to the Right of our Estate, as also in this most noble Marriage, which we have now atcheived

[a] *Strype's Eccles. Memorials*, Vol. III. p. 154.

[b] See before, p. 265.

Philip and *Mary.* *and perfected, much to our Satisfaction and Contentation; and, as we truſt, of the reſt of the good* Catholic People *within our Realmes:* THESE *ſhall be to will and command you, that, for withſtanding ſuch Malice as the Devil worketh by his Miniſters, for the Maintenance of Hereſies and Seditions, ye now, on our Behalf,* admoniſh *ſuch our good loving Subjects, as by Order of our Writs ſhould, within that County, chooſe Knights, Citizens, and Burgeſſes, to repair from thence to this our Parliament, to be of their Inhabitants as the Laws require, and of the wiſe, grave and* Catholic Sort; *ſuch as indeed mean the true Honour of God with the Proſperity of the Commonwealth; the Advancement whereof we and our dear Huſband the King do cheifly profeſs and intend, without Alteration of any particular Man's Poſſeſſions, as, among other falſe Rumours, is ſpread abroad to hinder our Godly Purpoſe; but ſuch would have their Hereſies return, and the Realme, by the juſt Wrath of God, be brought to Confuſion; from which we have ſeen the ſame marvailouſly delivered; and mind, by God's Help, and the Advice of our Counſellors and Eſtates of this our Parliament, to uphold and continue.* Requiring *you, with the reſt of the Juſtices of that County, to whom you ſhall alſo ſhew and declare theſe our Letters, that Spreaders of Rumours and Tales may be, by their Diligence, ſpeedily apprehended, and, according to the Law of our Realme, ſharply puniſhed; according to the Truſt we have in them, and as they will anſwer for the due Puniſhment of their Slackneſs and remiſs Dealing in this Behalf. Yeven,* &c.

Anno Regni 1. and 2. At *Weſtminſter.* 1554.

What Influence this circular Letter had on the Kingdom will appear beſt by the Sequel. We are told that this Parliament began with a very unuſual Solemnity [c], the King and Queen rode down to the Houſe, on Horſeback, in their Robes of State; two Swords of State and two Caps of Maintenance being carried before them. The Swords were borne by the Earls of *Pembroke* and *Weſtmoreland*, and the Caps by the Earls of *Arundele* and *Shrewſbury*. The initial

[c] *Grafton's Chron. ſub hoc Anno.*

initial Ceremonies, at the Opening of the Parliament, are omitted in the *Journals* of the Lords; but that of the Commons informs us, That the Bishop of *Winchester*, Lord-Chancellor, opened this Session with a Speech, declaring this Parliament to be called for the Confirmation of true Religion and other weighty Matters. After which the Commons chose *Clement Higham*, Esq; one of the Privy Council, to be their Speaker; who, in an excellent Oration, as it is there called, comparing the Body Politic to the Body Natural, introduced the three usual Petitions, for Freedom of Speech, *&c.* and was accepted. *Philip* and *Mary*. CLEM. HIGHAM Esq; chosen Speaker.

The first Bill that appeared in the House of Lords was to repeal the Act of Attainder against Cardinal *Pole*. It was introduced on the 17th of *November*, passed both Houses on the 21st, having been read thrice by the Commons in one Day, says *Burnet*; but, by the *Journals*, in two: It had the Royal Assent on the 22d, the King and Queen being both present on this Occasion. The Reason of this quick Dispatch was, because the Cardinal was then arrived in *England*, as Legate from the Pope, and he could not appear in Parliament till by this Act he was restored to his paternal Estate and Dignity; from which he had been deprived by an Act of Attainder passed in the 31st Year of the Reign of *Henry* VIII. Cardinal *Pole*'s Attainder reversed.

Grafton tells us, That the Cardinal was received with no great Pomp at his Entrance into *London*; but, his Attainder being taken off, he soon took more State upon him. There had been one Question argued in the House of Commons about passing this Bill, Whether it could be done without making a Session, which would necessitate a Prorogation? It was resolved in the Affirmative, and so the Bill was passed. The Reason set forth in the Act for reversing this Attainder was, 'That it 'was laid upon the Cardinal, because he would not 'consent to the unlawful Separation and Divorce 'between King *Henry* and his most godly, lawful, 'and virtuous Wife, Queen *Katherine*; therefore 'they,

Philip and *Mary*. ‘ they, conſidering the true and ſincere Conſcience ‘ of the Cardinal in that Point, and his other many ‘ godly Virtues and Qualities, did repeal that Act.’

Matters being thus premiſed, the Cardinal was not only reſtored to his State and Dignity as an *Engliſh* Nobleman of the Blood Royal, but at Liberty to open his Commiſſion from *Rome* as a Legate from that See. Accordingly, on the 27th of *November*, a Meſſage was ſent to both Houſes of Parliament to come up to *Whitehall*, to hear him deliver his Legation. The Reaſon that the King and Queen did not come to the Parliament-Houſe in *Weſtminſter* was, becauſe the Queen was ſick at that Time, ſays *Grafton*, ſo the Great Chamber in the Palace at *Whitehall* was prepared for that Purpoſe. Here, the King and Queen being ſeated under a Canopy, the Cardinal on their Right Hand, the Biſhops, Lords, and Commons attending, the Biſhop of *Wincheſter*, Lord Chancellor, ſpake to this Effect[d]:

Biſhop *Gardiner*, Lord-Chancellor, introduces him to the Parliament.

My Lordes of the Upper Houſe, and you my Mayſters of the Nether Houſe, here preſent,

THE Right Reverend Father in God, my Lord Cardinal Pole, Legate a Latere, *is come from the Apoſtolique See of* Rome, *as Ambaſſadour to the King and Queenes Majeſties, upon one of the weightieſt Cauſes that ever happened in this Realme, and which perteyneth to the Glory of God and youre univerſal Benefite. The which Ambaſſade their Majeſties Pleaſure is to be ſignified unto you all by his owne Mouth, truſtyng that you receyve and accept it in as benevolent and thankfull wiſe as their Highneſſes have done; and that you will give attentive and inclinable Eares unto his Grace, who is now readie to declare the ſame.*

As ſoon as the Lord-Chancellor had ended, the Cardinal ſtood up and made a long Oration, which that old Hiſtorian, *Grafton*, probably was an Ear-Witneſs to; for in his *Chronicle*, which ends with this Reign, he hath reduced this Speech, for Brevity's Sake, into ſeveral Heads. But Mr. *Foxe* in his *Acts*

[d] This Speech is copied, *literatim*, from *Grafton*'s *Chronicle*, p. 1344, to ſhew the Orthography of thoſe Times.

Acts and Monuments, the first Edition of which was published in *Latin* in Queen *Mary*'s Reign [e], has given us this Speech at large: It would therefore be inconsistent with the Design of these Volumes to give an Abridgement of this Discourse, when the Whole may be come at; especially when the Length of it may well be excused for the Matter there delivered, and that this Speech came from the Mouth of the greatest Ornament to the Catholic Cause then in *Europe*. *Philip* and *Mary*.

My Lords all, and you that are the Commons of this present Parliament assembled, which in Effect is nothing else but the State and Body of the whole Realm,

The Cardinal's Speech at delivering his Legation from the Pope.

'AS the Cause of my Repair hither hath been most wisely and gravely declared by my Lord-Chancellor, so, before that I enter to the Particularities of my Commission, I have somewhat touching myself, and to give most humble and hearty Thanks to the King and Queen's Majesties, and, after them, to you all; which, of a Man exiled and banished from this Commonwealth, have restored me to be a Member of the same; and of a Man having no Place either here or elsewhere within this Realm, have admitted me in a Place where to speak and to be heard. This I protest unto you all, that though I was exiled my native Country without just Cause, as God knoweth, yet that Ingratitude could not pull from me the Affection and Desire that I had to profit and do you Good. If the Offer of my Service might have been received, it was never to seek; and, where that could not be taken, you never failed of my Prayer, nor ever shall.

'But leaving the Rehearsal thereof, and coming more near to the Matter of my Commission, I signify unto you all, That my principal Travel is for the Restitution of this Noble Realm to its antient Nobility, and to declare unto you, that the See Apostolic from whence I come hath a special Respect

[e] *Nicholson*'s *Historical Library*.

Philip and Mary. ‘ Respect to this Realm above all others; and not ‘ without Cause, seeing that God himself, as it were ‘ by Providence, hath given this Realm Prerogative ‘ of Nobility above others; which to make more ‘ plain unto you, it is to be considered that this ‘ Island, first of all Islands, received the Light of ‘ *Christ*'s Religion; for, as Stories testify, it was ‘ *prima Provinciarum quæ amplexa est Fidem* Christi.

‘ The *Britons*, being first Inhabitants of this ‘ Realm, (notwithstanding the Subjection of the ‘ Emperors and Heathen Princes) did receive ‘ *Christ*'s Faith from the Apostolic See universally, ‘ and not in Parts as other Countries, nor by one and ‘ one, as Clocks increase their Hours by Distinction ‘ of Times, but all together at once, as it were in ‘ a Moment. But after that their ill Merits, or ‘ Forgetfulness of God, had deserved Expulsion, ‘ and that Strangers, being Infidels, had possessed ‘ this Land, yet God of his Goodness, not leaving ‘ where he once loved, so illuminated the Hearts of ‘ the *Saxons*, being Heathen Men, that they forsook ‘ the Darkness of Heathen Errors, and embraced ‘ the Light of *Christ*'s Religion; so that, within a ‘ small Space, Idolatry and Heathen Superstition ‘ was utterly abandoned in this Island.

‘ This was a great Prerogative of Nobility, the ‘ Benefit whereof, tho' it be to be ascribed to God, ‘ yet the mean Occasion of the same came from the ‘ Church of *Rome*; in the Faith of which Church ‘ we have ever since continued and consented, with ‘ the rest of the World, in Unity of Religion. ‘ And to shew further the fervent Devotion of the ‘ Inhabitants of this Island towards the Church of ‘ *Rome*, we read that divers Princes in the *Saxons*' ‘ Time, with great Travel and Expences, went ‘ personally to *Rome*, as *Offa* and *Aulphus*, which ‘ thought it not enough to shew themselves obedient ‘ to the said See, unless that in their own Persons ‘ they had gone to that same Place from whence ‘ they had received so great a Grace and Benefit.

‘ In the Time of *Carolus Magnus*, who first ‘ founded the University of *Paris*, he sent into *England*

'*England* for *Alcuinous*, a great learned Man, *Philip* and *Mary*,
'who first brought Learning to that University;
'whereby it seemeth that the greatest Part of the
'World fetched the Light of Religion from *Eng-*
'*land*.

'*Adrian* IV. being an *Englishman*, converted
'*Norway* from Infidelity; which *Adrian* after-
'wards, upon great Affection and Love that he
'bare to this Realm, being his native Country,
'gave to *Henry* II. King of *England*, the Right
'and Seigniory of the Dominion of *Ireland*, which
'pertained to the See of *Rome*.

'I will not rehearse the manifold Benefits that
'this Realm has received from the Apostolic See,
'nor how ready the same hath been to relieve us
'in all our Necessities. Nor will I rehearse the
'manifold Miseries and Calamities that this Realm
'hath suffered by swerving from that Unity. And
'even as in this Realm, so also in all other Coun-
'tries which, refusing the Unity of the Catholic
'Faith, have followed fantastical Doctrine, the
'like Plagues have happened. Let *Asia* and the
'Empire of *Greece* be a Spectacle unto the World,
'who, by swerving from the Unity of the Church
'of *Rome*, are brought into Captivity and Subjec-
'tion of the *Turk*. All Stories be full of like
'Examples; and, to come unto the later Time,
'look upon our Neighbours in *Germany*, who,
'by swerving from this Unity, are miserably af-
'flicted with Diversity of Sects, and divided into
'Factions.

'What, shall I rehearse unto you the Tumults
'and Effusion of Blood that hath happened there
'of late Days? Or trouble you with the Rehearsal
'of those Plagues that have happened since this In-
'novation of Religion, whereof you have felt the
'Bitterness, and I have heard the Report? Of all
'which Matters I can say no more, but such was
'the Misery of the Time. And see how far forth
'this Fury went; for those that live under the *Turk*
'may freely live after their Consciences, and so was
'it not lawful here.

'If

Philip and *Mary*. ‘If Men examine well upon what Grounds these ‘Innovations began, they shall well find that the ‘Root of this, as of many other Mischiefs, was ‘Avarice; and the Lust and carnal Affection of ‘one Man confounded all Laws both divine and ‘human. And, notwithstanding all these Devices ‘and Policies practised within this Realm against ‘the Church of *Rome*, they needed not to have ‘lost you, but that they thought rather as Friends ‘to reconcile you, than as Enemies to infest you; ‘for there wanted not great Offers of the most ‘mighty Potentates in all *Europe* to have aided the ‘Church in that Quarrel. Then mark the Sequel: ‘There seemed, by these Changes, to rise a great ‘Face of Riches and Gain, which in Proof came to ‘great Misery and Lack. See how God then can ‘confound the Wisdom of the Wise, and turn un-‘just Policy to meer Folly; and that Thing which ‘seemed to be done for Relief, was Cause of plain ‘Ruin and Decay. Yet see that Goodness of God, ‘which at no Time failed us, but most benignly ‘offered his Grace, when it was of our Parts least ‘sought, and worse deserved.

‘And when all Light of true Religion seemed ‘utterly extinct, the Churches defaced, the Altars ‘overthrown, the Ministers corrupted, even like ‘as in a Lamp, the Light being covered, yet it is ‘not quenched; even so in a few remained the Con-‘fession of *Christ*'s Faith; namely, in the Breast ‘of the Queen's Excellency; of whom, to speak ‘without Adulation, the Saying of the Prophet ‘may be verified, *Ecce quasi derelicta!*

‘And see how miraculously God of his Good-‘ness preserved her Highness, contrary to the Ex-‘pectation of Man, that when Numbers conspired ‘against her, and Policies were devised to disinherit ‘her, and armed Power prepared to destroy her, ‘yet she being a Virgin, helpless, naked, and un-‘armed, prevail'd, and had the Victory of Tyrants; ‘which is not to be ascribed to any Policy of Man, ‘but to the almighty Goodness and Providence ‘of God, to whom the Honour is to be given.

‘And

'And therefore it may be said, *Da Gloriam Deo.* *Philip* and *Mary.*
'For in Man's Judgment, on her Grace's Part,
'was nothing in Appearance but Despair.

'And yet for all these Practices and Devices of
'ill Men, here you see her Grace established in her
'Estate, being your lawful Queen and Governess,
'born among you, whom God hath appointed to
'reign over you for the Restitution of true Religion,
'and Extirpation of all Errors and Sects. And to
'confirm her Grace the more strongly in this En-
'terprize, lo! how the Providence of God hath join-
'ed her in Marriage with a Prince of like Religion;
'who, being a King of great Might, Armour, and
'Force, yet useth towards you neither Armour nor
'Force, but seeketh you by the Way of Love and
'Amity; in which Respect great Cause you have to
'give Thanks to Almighty God, that hath sent you
'such a Catholic Governess. It shall be therefore
'your Part again to love, obey, and serve them.

'And as it was a singular Favour of God to con-
'join them in Marriage, so it is not to be doubted
'but that he shall send them Issue, for the Comfort
'and Surety of this Commonwealth.

'Of all Princes in *Europe* the Emperor hath tra-
'velled most in the Cause of Religion, as it ap-
'peareth by his Acts in *Germany*; yet happily, by
'some secret Judgment of God, he hath not at-
'chieved the End. With whom in my Journey
'hitherwards I had Conference touching my Lega-
'tion; whereof when we had Understanding, he
'shewed a great Appearance of most earnest Joy
'and Gladness, saying, That it rejoiced him no less
'of the Reconcilement of this Realm unto Christian
'Unity, than that his Son was placed by Marriage
'in the Kingdom; and most glad he was of all,
'that the Occasion thereof should come by me, be-
'ing an *Englishman* born; which is (as it were) to
'call home ourselves. I can well compare him to
'*David*, who though he were a Man elect of God,
'yet, for that he was contaminate with Blood and
'War, he could not build the Temple of *Jerusa-*
'*lem*, but left the finishing thereof to *Solomon*,
which

Philip and *Mary*. ‘ which was *Rex pacificus*. So may it be thought, ‘ that the appeasing of Controversies of Religion in ‘ Christianity is not appointed to this Emperor, ‘ but rather to his Son, who shall perform the ‘ Building that his Father had begun. Which ‘ Church cannot be perfectly builded, unless uni- ‘ versally in all Realms we adhere to one Head, ‘ and do acknowledge him to be the Vicar of God, ‘ and to have Power from above; for all Power ‘ is of God, according to the Saying, *Non est Potes- ‘ tas, nisi à Deo:* And therefore I consider that ‘ all Power being in God, yet, for the Conserva- ‘ tion of quiet and godly Life in the World, he ‘ hath derived that Power from above into the Parts ‘ here in Earth; which is, into the Power Impe- ‘ rial and Ecclesiastical. And these two Powers, ‘ as they be several and distinct, so have they two ‘ several Effects and Operations: For Secular Prin- ‘ ces, to whom the Temporal Sword is committed, ‘ be Ministers of God to execute Vengeance upon ‘ Transgressors and Evil-livers, and to preserve the ‘ Well-doers and Innocents from Injury and Vio- ‘ lence. Which Power is represented in these two ‘ most excellent Persons, the King and Queen's ‘ Majesty here present, who have this Power com- ‘ mitted to them immediately from God, without ‘ any Superior in that Behalf.

‘ The other Power is of Ministration, which is ‘ the Power of the Keys, and Order in the Eccle- ‘ siastical State; which is by the Authority of God's ‘ Word, and Examples of the Apostles, and of all ‘ old Holy Fathers from *Christ* hitherto, attributed ‘ and given to the Apostolic See of *Rome* by spe- ‘ cial Prerogative. From which See I am here de- ‘ puted Legate and Ambassador, having full and ‘ ample Commission from thence, and have the ‘ Keys committed to my Hands. I confess to you ‘ I have the Keys, not as mine own Keys, but as ‘ the Keys of him that sent me, and yet cannot ‘ open; not for Want of Power in me to give, ‘ but for certain Impediments in you to receive, ‘ which must be taken away before my Commission

‘ can

'can take Effect. This I proteſt before you, my Commiſſion is not of Prejudice to any Perſon. I come not to deſtroy, but to build; I come to reconcile, not to condemn; I am not come to compel, but to call again; I am not come to call any Thing in Queſtion already done; but my Commiſſion is of Grace and Clemency to ſuch as will receive it: For touching all Matters that be paſt, they ſhall be as Things caſt into the Sea of Forgetfulneſs. *Philip* and *Mary*.

'But the Mean whereby you ſhall receive this Benefit, is to revoke and repeal thoſe Laws and Statutes which be Impediments, Blocks, and Bars to the Execution of my Commiſſion: For like as I myſelf had neither Place nor Voice to ſpeak here among you, but was in all Reſpects a baniſhed Man, till ſuch Time as ye had repealed thoſe Laws that lay in my Way; even ſo cannot you receive the Benefit and Grace offered from the Apoſtolic See, untill the Abrogation of ſuch Laws, whereby you have disjoined and diſſevered yourſelves from the Unity of *Chriſt*'s Church.

'It remaineth therefore that you, like true Chriſtians and provident Men, for the Weal of your Souls and Bodies, ponder what is to be done in this ſo weighty a Cauſe; and ſo to frame your Acts and Proceedings, as they may firſt tend to the Glory of God, and next to the Conſervation of your Commonwealth, Surety, and Quietneſs.'

The next Day the whole Court of Parliament drew up the Form of Supplication, or Petition: and the Day after the King and Queen, with the Peers and Commoners, being again aſſembled, the Biſhop of *Wincheſter* there declared what the Parliament had determined, concerning the Cardinal's Requeſt, and preſented their Majeſties the ſaid Petition; a Copy whereof followeth:

The Petition of the Parliament, declaring their Sorrow for all paſt Proceedings againſt the Pope.

WE the Lords Spiritual and Temporal, and the Commons, in this preſent Parliament aſſembled, repreſenting the whole Bodie of the Realme of England *and Dominions of the ſame, in the Name of ourſelves*

Philip and Mary. *ſelves particularly, and alſo of the ſayd Bodie univerſally, offer this our moſt humble Supplication to your Majeſties, to this Ende and Effect, that the ſame, by your Grace's Interceſſion and Mean, may be exhibited to the Moſt Reverend Father in God, the Lord Cardinal* Pole, *Legate, ſent ſpecially hether from our Moſt Holy Father Pope* Julius III. *and the See Apoſtolique of* Rome, *wherein we do declare ourſelves very ſorry and repentaunt of the long Schiſme and Diſobedience committed in this Realme, and the Dominions of the ſame, againſt the ſaid See Apoſtolique; eyther by making, agreeing, or executing of any Lawes, Ordinaunces, and Commaundements, agaynſt the Primacy of the ſame See; or otherwiſe doyng or ſpeaking that might impugne or prejudice the ſame: Offering ourſelves and promiſing by this our Supplication, that, for a Token and Knowlege of this our ſayd Repentance, we be, and ſhall be ever, readie, under and with the Authorities of your Majeſties, to the utterme ſt of our Power, to do that ſhall lye in us, for the Abrogation and repealyng of all the ſayd Lawes and Ordinaunces, made or enacted to the Prejudice of the See Apoſtolique, as well for ourſelves as for the whole Bodie whom we repreſent. Whereupon moſt humbly we beſeech your Majeſties, as Perſonages undefiled in the Offence of this Bodie towards the ſayd See, which nevertheleſs God, by his Providence, hath made ſubject to you, ſo to ſet foorth this our humble Suyte, as we the rather, by your Interceſſion, maye obtein from the See Apoſtolique, by the ſayde Moſt Reverend Father, as well particularly as generaly, Abſolution, Releaſe, and Diſcharge from all Daungers of ſuch Cenſures and Sentences as, by the Lawes of the Church, we be fallen into. And that we may, as Chilaren repentaunt, be receyved into the Boſome and Unitie of* Chriſtes *Church, ſo as this noble Realme, with all the Members thereof, may, in this Unitie and perfect Obedience to the See Apoſtolique and Popes, for the Tyme being, ſerve God and your Majeſties to the Furtheraunce and Advauncement of his Honour and Glorie.* Amen.

This humble Petition, which plainly ſhews that there was not then one Member in either Houſe that

that chose to die a Martyr for Religion, being first openly read, the same was delivered by the Chancellor to the King and Queen, with a Request to them, that they would give it to the Lord Cardinal. Their Majesties, rising off their Seats and doing Reverence to the Cardinal, did deliver the said Petition to him; who, perceiving the Effect thereof to answer his Expectation, received it most gladly at their Hands; and then, after that he had in few Words given Thanks unto God, and declared what great Cause he had, above all others, to rejoice that his coming from *Rome* into *England* had taken such a happy Turn, he caused his Commission to be read, by which it might appear that he had Authority from the Pope to absolve them. The Commission was very long and large; which being ended, and all the Parliament, both Lords and Commons, on their Knees, the Cardinal, by the Pope's Authority, gave them Absolution, as follows: *Philip* and *Mary*.

Cardinal *Pole*'s Absolution.

OUR Lord Jesus Christ, *which with his most precious Bloud hath redeemed and washed us from all our Sins and Iniquities, that he might purchase to himself a glorious Spouse, without Spot or Wrinkle, and whome the Father hath appointed Head over all his Church; He, by his Mercy, absolve you; and we, by the Apostolique Authority given unto us by the most Holy Lord Pope* Julius III. *his Vicegerent in Earth, do absolve and deliver you, and every of you, with the whole Realme and the Dominions thereof, from all Heresie and Schisme, and from all and every Judgments, Censures, and Paynes, for that Cause incurred. And also we doe restore you agayne to the Unitie of the Holy Church, as in our Letters of Commission more plainely shall appere, in the Name of the Father, the Sonne, and the Holie Ghoste.* Amen.

After this general Absolution was so given and received, the King, Queen, and all the Lords, with the rest, went into the King's Chapel, and there sung *Te Deum*, with great Joy and Gladness, for this new Reconciliation.

Philip and *Mary*. The ſame Author tells us, That the News of this flew with great Speed to *Rome*, as well by the *French* King's Letters, as by the Cardinal's. Whereupon the Pope cauſed ſeveral ſolemn Proceſſions to be made there; particularly one, at which he and all his Cardinals were preſent, with the utmoſt Pomp and Solemnity, giving Thanks to God with great Joy for the Converſion of *England* to the Church. The Pope alſo did not a little commend the great Diligence of Cardinal *Pole*, and the Devotion of the King and Queen; and, on *Chriſtmas* Eve next following, he ſet forth his Bulls of a general Pardon to all ſuch as did rejoice in the ſaid Reconciliation. And farther, becauſe this great Work was done on St. *Andrew*'s Day, the Cardinal procured a Decree, or Canon, to be made in the Convocation of Biſhops and Clergy, that from thenceforth the Feaſt of St. *Andrew* ſhould be kept in the Church of *England* for a *Majus duplex*, as the Ritual calls it, and celebrated with as much Solemnity as any other in the Year [f].

We have choſe to extract this whole Affair at large out of the contemporary Hiſtorians beforementioned, confirmed by the *Journals* of both Houſes, as the faireſt Way to lay this important Buſineſs before the Public at this Time. Every one is at Liberty to make their own Animadverſions upon it, ſince it is a Turn not to be parallel'd in the Hiſtory of this or any other Kingdom; and yet is ſo little taken Notice of by our modern Hiſtorians, eſpecially by Mr. *Rapin*, that he has curtail'd this whole Account in the Compaſs of a Dozen Lines, for Reaſons very obvious to gueſs at [g].

The next Thing the Parliament went upon was to teſtify their grateful Senſe of the Cardinal's Abſolution: And accordingly, on the 6th of *December*, a Committee of ſix Peers and three Biſhops were appointed to conſer with certain of the Lower Houſe, for the drawing up a Bill touching the Repeal of certain Statutes. This

[f] *Heylin*'s *Queen* Mary, p. 42.
[g] *Rapin*, Vol. II. p. 40.

This Conference was carried on till the 20th, and on that Day a Bill was read the first Time, in the House of Lords, with this Title, *A Bill for the Repeal of certain Acts made against the Supremacy of the See of* Rome. It was read a second Time on *Christmas-Day*; a Day we have never found a Parliament sitting on before; but it may be supposed that they thought they could offer no higher Oblation to *Christ*, on that Festival, than to repeal those Laws which had shut his Vicar out of this Kingdom. No other Business was done on that Day. On the 26th of *December* the Bill was read a third Time, and passed with the Consent of the whole House, the Bishop of *London* only dissenting; the Reason of which will appear in the Sequel. The Title to the Bill, on its passing this House, was, *A Bill for repealing all Statutes, Articles, and Provisoes made against the See Apostolique of* Rome, *since the 20th Year of King* Henry VIII. *and for the Establishment of all Spiritual and Ecclesiastical Possessions and Hereditaments conveyed to the Laity.* *Philip* and *Mary*. All Acts against the Pope repealed;

The Commons took less Time to consider of this Bill, tho' some Alteration was made by them in it; for, on the 4th of *January*, the Bill was returned to the Lords, with two new Provisoes added thereto. They sent also a Request, That two Clauses, containing twenty Lines, concerning the Bishop of *London*, the Lord *Wentworth*, &c. should be clearly put out: Whereupon the Clauses were read, and one of them, by reason of the Penning, being disliked by the House another to the same Effect was drawn; which, being three Times read, was agreed unto by the whole House, except the Viscount *Montacute*, and the Bishops of *London* and *Coventry*, who dissented. Then the Bill was sent again to the Commons, where being also thrice read, and agreed unto, it was brought up once more as an Act fully assented to by both the Houses. The *Journal* takes Notice, that the twenty Lines of the Lord *Wentworth*'s Proviso, relating to some Lands he had from the Bishopric of *London*, were not erazed, nor taken out of the Act; but that the

Philip and *Mary*. Chancellor, in the Sight of all the Lords, with a Knife, cut them out of the Parchment; saying, *Now I do rightly the Office of a Chancellor* [g].

It is not mentioned in the *Journal* that this extraordinary Amputation was done by any Order of the House; but it must be supposed so; otherwise it cannot be thought the Parliament would have consented to so unlimited a Power in the Lord-Chancellor, as to raze or cut out Provisoes at his own Pleasure.

The Purport of this Act was, to declare their former Schism from the See of *Rome*, and their Reconciliation to it now; and upon which all Acts passed, since the 20th of *Henry* VIII. against that See, were particularly enumerated and repealed: And, in order to remove all Grudges that might afterwards arise, the Parliament desired the Lord Cardinal to intercede with the Pope, that the following Articles might, by his Authority, be established.

I. 'That all Bishoprics, Cathedrals or Colleges, now settled, might be confirmed for ever.

II. 'That Marriages, made within such Degrees as are not contrary to the Law of God, but only to the Laws of the Church, might be confirmed, and the Issue by them declared legitimate.

III. 'That all Institutions into Benefices might be confirmed.

IV. 'That all judicial Processes might be also confirmed.

V. And *lastly*, 'That all the Settlements of the Lands, belonging to any Bishoprics, Monasteries, or other Religious Houses, might continue as they were, without any Trouble by Ecclesiastical Censures or Laws. It was also declared, That all Suits about these Lands were only to be in the Queen's Courts, and not in the Ecclesiastical; and if any should,

[g] Alluding, by Way of Pun, we suppose, to *cancelling* of Writings; but *Chancellor*, from the *Franco-Gaulic*, *Chancelier*, has a quite different Signification. *Nomen inde accepit quod olim stare sit solitus intra* Cancellos, *ad accipienda eorum Desideria, qui ad Principem Supplicationes suas per illum deferri cupiebant.* Francisci Junii *Etymolog. Anglic. sub Voce* Chancellor.

Philip and *Mary*.

ſhould, upon the Pretence of any Church-Authorities, diſturb the Subjects in their Poſſeſſions, they were to incur a *Præmunire*.' It was declared in this Act alſo, That the Title of *Supreme Head* never of Right belonged to the Crown; yet all Writings wherein it was uſed were ſtill to continue in Force; but that hereafter all Writings ſhould be of Force, in which, either ſince the Queen's coming to the Crown, or afterwards, that Title ſhould be, or had been omitted. It was alſo declared that Bulls from *Rome* might be executed; and, for encouraging any to beſtow what they pleaſed on the Church, the Statutes of Mortmain were repealed for twenty Years to come.

We have now given a pretty large Abſtract from this remarkable Statute of Repeal; the Act itſelf is very long, containing 110 Clauſes, or Sections, as appears in the printed Book of Statutes. Upon the whole, it ſhews plainly that the Church and Abbey-Lands were not then redeemable by a Popiſh Prince, even ſo near their firſt Alienation. And further, that theſe Lands were the real Bait which drew on the Reformation: For it is plain, by the Conduct of both Lords and Commons in this Parliament, that let them have but Poſſeſſion of theſe Lands, and they cared not a Straw what Religion was uppermoſt; ſince now the Pillars of the Reformation, which had been above thirty Years in erecting, were, by this Queen and her Parliament, thrown down in two.

We are told, by one Hiſtorian [h], that the Bottom of the Pope's Indulgence, or Diſpenſations of theſe Abbey-Lands, was, that the Parliament ſhould give him an Equivalent in reſtoring to him his Supremacy and Authority over the *Engliſh* Church. That, even whilſt this Bill was under Debate, the Parliament diſpatched an Expreſs to *Rome*, acquainting the Pope plainly, that both Lords and Commons would grant nothing in his Behalf, unleſs he would confirm their Purchaſes of Abbey

But the Purchaſes of Abbey-Lands confirmed.

[h] *Strype's Eccleſiaſtical Memorials*, Vol. III. p. 161.

Philip and *Mary* a[l] Chantry-Lands. So fair a Bargain, adds he, was driven between them.

Dr. *Heylin* remarks, 'That the Queen had neither Eloquence to perſuade, nor Power enough to awe, the Parliament to this Conceſſion: But, adds he, nothing hinder'd the Deſign more than a general Fear, that if the Popes were once reſtored to their former Power, the Church might challenge Reſtitution of their former Poſſeſſions. Do but ſecure them from that Fear, then Pope and Cardinals might come and welcome. And he obſerves they had a ſufficient Security for their Pannics, by a Promiſe under-hand, both from the King Queen, and Cardinal Legate, who knew right well that the Church Lands had been ſo chopped and changed by the two laſt Kings, as not to be reſtored without the manifeſt Ruin of many of the Nobility, and moſt of the Gentry, who were inveſted in the ſame [i].'

Laſtly, the contemporary Hiſtorian before quoted tells us, That the Pope's moſt liberal Bull, as he terms it, for a Diſpenſation of Abbey-Lands, being now confirmed by Parliament, it gave great Comfort to many, who were not without juſt Suſpicions that this new Union might cauſe them to loſe ſome of their late cheap Purchaſes [k].

The former Acts againſt Hereſy revived.

But to ſhew ſtill more plainly how eager the Houſe of Commons were to remunerate the Pope and the Queen for theſe extraordinary Favours, a Bill was begun and carried thro' that Body for reviving the Statutes made by *Richard* II. *Henry* IV. and *Henry* V. againſt Heretics. It was brought into the Houſe of Lords on the 15th of *December*, and paſſed there on the 18th, *nemine contradicente*[l]. The Commons alſo paſſed and ſent up another Bill to the Lords, for annulling all Leaſes made by married Prieſts. Biſhop *Burnet* tells us, that this

[i] *Heylin's Queen* Mary. p. 41.

[k] *Grafton's Chron. ſub hoc Anno.*

[l] The Bill to revive three old Acts, *viz. Anno* 5 *Richard* II. *Anno* 2 *Henry* IV. and *Anno* 2 *Henry* V. for Puniſhment of Hereſies, was brought in on the 12th of *December*, and paſſed on the 14th. *Commons' Journal.*

this Bill was much argued in the Lower House; that the first Draught was rejected, but a new one approved on, and sent up to the Lords on the 19th of *December*: But they, finding it would shake a great Part of the Right of Church-Leases that were made by married Priests and Bishops, laid it aside. *Philip* and *Mary*.

By a strict Search in the *Journals* of the House of Lords, *in Die ad Diem*, for this Session of Parliament, we can find no Account of this Bill brought up to that House, either on the Day before-mentioned, or on any other. It is true that, on the 7th of *January*, a Bill was sent up by the Commons, touching Leases hereafter to be made by Spiritual Persons; which passed into a Law: But then this Statute, which is printed, does not affect married Priests more than others, and is not to the Purpose the Right Reverend Author speaks of.

By the *Journals* of the Commons we find that a Bill to avoid Leases made by married Priests of their Benefices, was read a first Time on the 23d of *November*; and that it continued before that House till *December* 8, when it had a fifth Reading. On the 19th of the same Month a Bill with the same Title, but marked *nova*, was read only once, and sent up to the Lords, with another Bill, by Mr. *S. Bourne*. What became of it in that House we know not; however this Circumstance serves the Prelate to make the following smart Reflection:

'Thus did this servile and corrupted House of 'Commons run so fast, that the Bishops themselves 'were forced to moderate their Heats. They all 'understood how much the Queen was set upon 'having the Church raised as high as could be, and 'saw there was nothing so effectual to recommend 'any to her Favour, as to move high in these Mat-'ters: And though their Motions were thought 'too violent, and rejected, yet their Affections 'were thereby discovered, so that they knew they 'should be looked on as Men deeply engaged in 'these Interests [m].'

A Bill

[m] *Burnet's Reformation*, Vol. II. p. 296.

Philip and *Mary*. A Bill for making certain Offences, there ſpecified, to be Treaſon, and alſo for the Government of the King's and Queen's Majeſties Iſſue, had been debated by the Commons for ſeveral Days. *January* 14, it was read a fourth Time in that Houſe; was paſſed and ſent up to the Lords by Mr. Comptroller, where it was made a Statute. The Act ſets forth, 'That it ſhall be High Treaſon to compaſs the Death of the King or the Queen, or to deprive either of them of the Kingly Honour of this Realm; or to aſſert that any other than they, or the Heirs of her Body, ought to be King or Queen. It was alſo enacted, That ſince the Parliament had petitioned the King, that if the Queen died leaving Iſſue, he would take on him the Government of them till they came of Age, to which he had aſſented; therefore, if the Queen died before her Children came of Age, the Government of the Kingdom ſhould be in the King's Hands; if it was a Son, till he was eighteen; if a Daughter, fifteen Years of Age: And, in all that Time, the conſpiring his Death was to be Treaſon. All Witneſſes were to be brought before the Parties accuſed; and none were to be tried for any Words, but within ſix Months after they were ſpoken.'

New Acts relating to Treaſon;

On the laſt Day of the Seſſion a Bill was brought up from the Commons, intituled, *An Act for the Puniſhment of traiterous Words againſt the Queen's Majeſty's Perſon*. It ſeems that Information had been given that ſome Heretical Preachers had pray'd in their Conventicles, *That God would turn the Queen's Heart from Idolatry to the true Faith, or elſe ſhorten her Days, and take her quickly out of the Way*[u]. All therefore that ſo pray'd for taking away the Queen's Life, their Procurators, and Abettors,

To traiterous Words;

[u] The Caſe was this: One *Roſe*, a Clergyman, and about thirty honeſt Citizens more, as *Foxe* calls them, were apprehended in a Meeting-Houſe in *Bow Church-Yard*, and committed. *Roſe* was proved to have made Uſe of this Expreſſion in his Prayer. *Collier's Eccleſiaſtical Hiſtory*, Vol. II. p. 375.

Abettors, ſhould be adjudged as Traitors: But, if they ſhewed themſelves penitent for ſuch Prayers, they were not to be condemned of Treaſon, but put to ſome corporal Puniſhment, at the Judge's Diſcretion. It is remarkable, that this Bill was paſſed in great Haſte; for it was thrice read in the Houſe of Lords on the 16th of *January*, the Day the Parliament was diſſolved. *Philip* and *Mary*.

The laſt Act that we ſhall particularly ſpeak of is intituled, in the *Statute-Books*, *An Act for the Puniſhment of ſeditious Words and Rumours*. By this it was ordained, That the Statutes of the 33d of *Edward* I. and the 5th of *Richard* II. to the foregoing Purpoſe, ſhould be confirmed. 'That Juſtices of 'the Peace, in every Shire, City, *&c.* ſhall have 'Authority to hear and determine the ſaid Offences, 'and put the ſaid two Statutes in Execution. If 'any ſpread ſuch Reports of the King or Queen, 'they were to be ſet on a Pillory, and Pay 100 *l.* 'or have their Ears cut off, and be three Months 'Priſoners. They were alſo to pay 100 Marks, 'and ſuffer one Month's Impriſonment, or loſe 'one Ear, though they had Authors for theſe 'Reports, if they ſpoke them maliciouſly. If any 'ſhall do it by Book, Rhyme, Ballad, or Letter, 'he ſhall have his Right Hand ſtricken off. And, 'laſtly, if any Perſon, being once convicted of 'the Offences aforeſaid, do afterwards offend, he 'ſhall be impriſoned during Life, and forfeit all his 'Goods and Chattels. Provided always, That 'they be proceeded againſt within three Months 'after the Words ſo ſpoken.' And ſeditious Rumours.

In the printed Book of *Statutes* only ſeventeen Acts are given for this Seſſion; in the *Journals* are the Titles of twenty-one. The Reaſon is, That the private Acts are not taken Notice of in the *Statute-Books*. What are here, to be added, beſides the Reſtitution in Blood of Cardinal *Pole*, is one for reverſing the Attainder and Outlawries of *Richard Pate*, *William Peyto*, and others; with that for the Confirmation of the Attainders of the late Duke of *Suffolk*,

Philip and *Mary*. *Suffolk*, *&c.* mentioned in the Courſe of the laſt Parliament. *Richard Pate* had been attainted under *Henry* VIII. for taking the Biſhopric of *Worceſter* from the Pope, and excepted out of every general Pardon ſince; but had now his See of *Worceſter* reſtored to him. *William Peyto*, a *Carthuſian* Monk, was attainted, and forced to fly the Realm, under the ſame King, for publickly defending, in his Sermons, Queen *Katherine*'s Cauſe againſt *Henry*.

There was a Bill paſſed, and ſent up by the Commons to the Lords, to puniſh the Abſence of the Knights and Burgeſſes of Parliament, in the Time of Parliament; but after the firſt Reading it was laid aſide, tho' for what Reaſon we know not. This Bill was brought in every Parliament during the laſt King's Reign and this, but never paſſed. Laſtly, An Act was made, confirming that of the 22d of *Henry* VIII. which required Perſons calling themſelves *Egyptians*, [*Gipſies*] upon Pain of Forfeiture of their Goods, to depart the Kingdom. The preſent Act made it Felony for any *Egyptian* to remain a Month in *England*; and forbids the bringing them into the Realm under the Penalty of Forty Pounds. But, notwithſtanding this, and many more ſevere Acts made ſince againſt this Set of Vagabonds, they have never been clearly rooted out to this Day.

The Prime Miniſter, *Gardiner*, having now, to his no ſmall Satisfaction, carried all his Schemes through both Houſes, for the Reſtoration of the Church, and Security of the Government, thought proper to put an End to this Parliament: Accordingly, on the 16th of *January*[a], the Queen came to the Houſe, and, having ſceptered the Acts, the Lord-Chancellor, by her Majeſty's Command, diſſolved it. But we muſt not omit that, the Day before this Diſſolution, a general and ſolemn Proceſſion was made through the City of *London*, from St *Paul*'s, to give God Thanks for their Converſion to the Catholic Church; wherein were ninety Croſſes,

[a] *Foxe*, *Heylin*, and *Collier* make it the 26th; but the *Statute-Books* and the *Journals* ſay the 16th.

Croſſes, 116 Prieſts and Clerks, each attired in his Cope; and after them eight Biſhops in their *Pontificalibus*, followed by *Bonner*, Biſhop of *London*, carrying the Pix, under a Canopy, and attended by the two Houſes of Parliament, the Lord Mayor, Aldermen, and Companies in their ſeveral Liveries. After the Proceſſion was ended they all returned into the Church of St. *Paul*, where the King and Cardinal, together with the reſt, heard Maſs for a Concluſion of the whole Solemnity [p]. *Philip* and *Mary*.

Another Matter, of a very extraordinary Nature, happened in this Parliament, and which we have not met with the like before in the Courſe of this Hiſtory. This was a voluntary Seceſſion of ſome Members of the Houſe of Commons, who actually left the Houſe when they ſaw the Majority inclin'd to ſacrifice every Thing to the Miniſtry. Lord *Coke*, in order to do Honour to their Memories, has handed down their Names, as follow, to Poſterity [q]:

Several Members of the Commons leave the Houſe,

Thomas Denton, Com. *Oxon*,
Henry Cary,
Richard Ward,
Edm. Plowden, de *Tibmerſh*, Com. *Berks*,
Henry Chiverton,
Robert Brown,
John Courke,
John Pethebrige,
John Melhews,
—— *Courtney*,
Ralph Mitchel,
Thomas Matthews,
Richard Braſey,
Thomas Maſſey,
Peter Fretchwell,
Henry Vernon, de *Sydbery*, Com. *Derby*,
William Moor, of *Derby*,
William Bainbrigge,
John Eveleigh,
Nich. Adamps, de *Dartmouth-Clifton-Hardneys*, Com. *Devon*,
Richard Phelips,
Anthony Dylvington,
Andrew Hoord,
Chriſt. Hoel, Com. *Dorſet*,
John Mannoch,
Thomas Phelips,
William Randel,
John Moyne,
Hugh Smith,
Roger Gerard,
Ralph Scroope,
Thomas Moor, de *Humbleton*, Com. *Bucks*,
William Read,

Henry

p *Heylin's Queen* Mary, p. 44.
q *Coke's Inſtitutes*, Part IV. p. 17, &c. See alſo *Strype's Memorials*, Vol. III. p. 165.

Philip and *Mary*. *Henry Mannoch*, *Nicholas Debden*,
John Maynard, de *St. Alban*, *Philip Tirwhit*.

We are told, by the ſame Authority, that the Court reſented this Separation of the Members very ill; and ordered *Edward Griffith*, Eſq; the Queen's Attorney-General, to indict them in the King's Bench, on an Information being preferred againſt them there, for departing without Licence, contrary to the King and Queen's Inhibition in the Beginning of the Parliament. Six of theſe Members were ſo timorous as to ſubmit to the Mercy of the Court, and paid their Fines, tho' whether large or ſmall appears not. All the reſt, among whom was that famous Lawyer *Plowden*, traverſed; but Judgment againſt them was prevented by the Queen's Death.

For which they are indicted.

The Writ of Information againſt theſe Parliament-Men ran in theſe Terms, *viz.* '*Quod inhibitum fuit*, [*a Rege & Regina in eodem Parlamento*] *quod nullus*, *ad idem Parlamentum ſummonitus*, *& ibidem intereſſens*, *ab eodem Parlamento*, '*abſque ſpeciali Licentia*, *dictorum Dominorum Regis* '*& Reginæ*, *& Cur. Parliament. prædict. recederet*, '*ſeu ſeipſum aliquo Modo abſentaret*; and that theſe 'Men appeared at this Parliament, and were there 'preſent. Notwithſtanding, lightly eſteeming the 'Inhibition of the King and Queen, and having 'no Regard to the Commonweal of this Realm of '*England*, afterwards, namely, *January* 12, the 'firſt and ſecond Year of this King and Queen, 'and during the Parliament foreſaid, they departed 'without Licence, in manifeſt Contempt of the 'King and Queen's Command and Injunction, to 'the great Detriment of the Commonweal of this 'Kingdom, and to the pernicious Example of all 'other.'

But the Complaint againſt theſe Members ought not to have been brought before any other than the Court of Parliament itſelf: For this great Lawyer argues, 'That the High Court of Parliament ſubſiſteth by its own Laws and Cuſtoms. And it is both

both a Law and Cuſtom of Parliament, that all weighty Matters moved for, concerning the Peers or Commoners in Parliament aſſembled, ought to be adjudged and determined by the Court of Parliament, and not by either the Civil or Common Law of the Realm. Alſo, by another Law or Cuſtom of Parliament, the King cannot take Notice of any Thing ſaid or done in the Houſe of Commons, but by the Report of that Houſe; every Member of which, having a judicial Place, can be no Witneſs.' Our Lawyer concludes his Reflections on this Caſe, with this Remark, 'That theſe poor Commons, 'Members of the Parliament, *in Diebus illis*, had 'no great Accord to continue in Parliament, but 'departed.' *Philip* and *Mary*.

To proceed with the Thread of our Hiſtory, and the Conſequences of the laſt Parliament: The Reader may obſerve, that, in one of the Acts before-mentioned, for limiting of Treaſons, Proviſion is made for the Government of the King and Queen's Majeſties Iſſue. About this Time it was, that the Queen had great Suſpicion of her being with Child; and, as it was made public, great Rejoicings were amongſt the Catholics here, as well as over Europe, for a Bleſſing which was likely to continue and eſtabliſh that Faith in this Kingdom. Biſhop *Burnet* tells us, That the firſt Emotion the Queen felt, when ſhe thought a Child was quickening in her Belly, was when the Lord Cardinal *Pole* made his Oration to the Parliament, at the Beginning of the laſt Seſſion: Some not ſticking to ſay, on this joyful Occaſion, that like as *John Baptiſt* leaped in his Mother's Belly at the Salutation of the Virgin, ſo here a happy Omen followed, on this Salutation from *Chriſt*'s Vicar on Earth; but this Miracle never came to Perfection; for, after more Months allowed for this Pregnancy than Nature requires, it all proved abortive, and terminated in the Diſcharge only of ſome falſe Conception. And what turned the Tables intirely againſt the Catholics, in this great Point, it not only proved that the Queen

The Queen ſuppoſed to be with Child;

was

Philip and *Mary*. was not with Child at this Time; but that, without a Miracle, it was impoſſible ſhe ſhould ever have any.

This was a Handle which the Proteſtant Writers of our *Engliſh* Hiſtory, &c. took hold of, to ridicule the Queen and her Catholic Miniſtry for ſo ſhameful an Impoſition. One old Hiſtorian [r], who lived in this Reign, is ſo explicit in this Affair, as to relate how far the Parliament was deluded into this Belief; and to give us an Abſtract out of the Act itſelf, to ſhew the Credulity and Folly of a Popiſh Parliament. He begins with telling us, 'That, amongſt the Number of thoſe Members who carried *Spaniſh* Hearts in *Engliſh* Bodies, there was one Sir *Richard Southwell*, who, being in the Parliament-Houſe when the Members were buſy about ſome Affairs of Importance, ſuddenly roſe up and cried, *Tuſh, my Maſters, why talk you of theſe Matters? I would have you take ſome Order about our young Maſter, who is now coming into the World apace, leſt he find us unprovided*, &c. Which Words, ſays our Authority, from a Courtier, with the Letters of the Privy Council about it, gave the Parliament ſuch an Aſſurance of the Queen's being with quick Child, that they immediately drew up a Bill for its Maintenance, Support, and Government; and, as it paſſed into an Act, for greater Evidence he has given us the Subſtance of it. It is ſomewhat ſurprizing that neither Dr. *Heylin*, Biſhop *Burnet*, or any other Proteſtant Writer of our Reformation, takes Notice of this Act, except in what is given before; but, as it is ſtrictly Parliamentary, it muſt find a Place in theſe Inquiries [s].

The Parliament's Addreſs thereupon.

'ALbeit we the Lords Spiritual and Temporal, 'and the Commons in this preſent Parliament 'aſſembled, have firm Hope and Confidence in the 'Goodneſs of Almighty God, that like as he hath 'hitherto miraculouſly preſerved the Queen's Ma'jeſty from many great and imminent Perils and 'Dangers;

[r] *Foxe's Acts and Monuments*, Vol. II. p. 1345.

[s] *Holling ſhead* has copied this whole Affair, *verbatim*, out of *Foxe. Chron.* p. 1124.

'Dangers; even so he will, of his infinite Goodneſs, *Philip* and *Mary*.
'give her Highneſs Strength, the rather by our con-
'tinual Prayers, to paſs well the Danger of Deli-
'verance of Child, wherewith it hath pleaſed him
'(to all our great Comforts) to bleſs her: Yet for-
'aſmuch as all Things of this World be uncertain,
'and having before our Eyes the dolorous Expe-
'rience of this inconſtant Government, during the
'Time of the Reign of the late King *Edward* VI.
'do plainly ſee the manifold Inconveniences, great
'Dangers and Perils, that may enſue in this whole
'Realm, if Foreſight be not uſed to prevent all
'evil Chances, if they ſhould happen: For the
'eſchewing hereof, we the Lords Spiritual and
'Temporal, and the Commons in this preſent Par-
'liament aſſembled, (for and in Conſideration of a
'moſt ſpecial Truſt and Confidence that we have
'and repoſe in the King's Majeſty, for and con-
'cerning the Politic Government, Order, and Ad-
'miniſtration of this Realm, in the Time of the
'young Years of the Iſſue or Iſſues of her Majeſty's
'Body to be born, if it ſhould pleaſe God to call
'the Queen's Highneſs out of this preſent Life,
'during the tender Years of ſuch Iſſue or Iſſues,
'(which God forbid) according to ſuch Order and
'Manner, as hereafter in this preſent Act his High-
'neſs moſt gracious Pleaſure is, ſhould be declared
'and ſet forth) have made our humble Suit, by the
'Aſſent of the Queen's Highneſs, that his Majeſty
'would vouchſafe to accept and take upon him the
'Rule, Order, Education, and Government of the
'ſaid Iſſue or Iſſues to be born, as is aforeſaid:
'Upon which, our Suit being of his ſaid Majeſty
'moſt graciouſly accepted, it hath pleaſed his High-
'neſs not only to declare, That like as for the moſt
'Part his Majeſty verily truſteth, that Almighty
'God (who hath hitherto preſerved the Queen's
'Majeſty, to give this Realm ſo good an Hope of
'certain Succeſſion in the Blood Royal of the ſame
'Realm) will aſſiſt her Highneſs with his Graces
'and Benedictions, to ſee the Fruit of her Body
'well brought forth, live, and able to govern
'(whereof

Philip and *Mary*. 'whereof neither all this Realm, nay all the World 'beſides, ſhould or could receive more Comfort 'than his Majeſty ſhould and would); yet if ſuch 'Chance ſhould happen, his Majeſty, at our hum-'ble Deſires, is pleaſed and contented, not only to 'accept and take upon him the Care and Charge 'of the Education, Rule, Order, and Government 'of ſuch Iſſues as of this moſt happy Marriage ſhall 'be born between the Queen's Highneſs and him; 'but alſo, during the Time of ſuch Government, 'would by all Ways and Means ſtudy, travel, and 'employ himſelf to advance the Weal, both public 'and private, of this Realm and Dominion there-'unto belonging, according to the ſaid Truſt in his 'Majeſty repoſed, with no leſs Good-will and Af-'fection, than if his Highneſs had been naturally 'born amongſt us. In Conſideration whereof, be 'it enacted by the King and the Queen's moſt ex-'cellent Majeſties, by the Aſſent of the Lords Spi-'ritual and Temporal, and the Commons in this 'preſent Parliament aſſembled, and by the Autho-'rity of the ſame, *&c.*'

To proceed It is now that our Proteſtant Hiſto-rians give us a whole Series of Heretical Burnings, the bare Recital whereof are ſufficiently ſhocking without Aggravation[t]. But herein the Miniſtry were out in their Politics, ſince the bloody Proceed-ings of this Time proved the greateſt Support of the Proteſtant Cauſe: And *Foxe*'s *Book of Martyrs* being, in the ſucceeding Reign, placed in every Church, and almoſt in every Gentleman's Houſe in *England*, has made more Converts from the *Roman* Faith than the Bible. But at the ſame Time it is no more than common Juſtice to ob-ſerve, that, in the terrible Executions this poor bigotted Queen was guilty of, her Parliaments had an equal Share with herſelf.

To give a ſtrong Inſtance how little the Proteſtant Cauſe was regarded, or the Complaints thoſe Suf-ferers

t In *Strype*'s *Eccleſiaſtical Memorials*, Vol. III. is an Account of ſuch as were burnt for Religion in this Reign, which amounts to 288, beſides thoſe that died of Famine in ſundry Priſons. *In Ap-pend.* p. 293.

ferers made to Parliament taken Notice of, we shall subjoin the Substance of two Petitions to both Houses in this last Parliament, from the imprisoned Preachers, in Defence of the Reformation. *Philip* and *Mary*.

Petitions from the imprisoned Protestant Preachers.

In the first Place, 'They intreat them to recollect their Severities against the Religion established in the two late Reigns. They put them in Mind that the Points had been settled with great Deliberation: That the two Universities, and the most considerable Persons for Learning in other Parts of the Kingdom, had been consulted: That to undo what was thus unanimously agreed, was unserviceable to the Memories of the two Princes, King *Henry* and King *Edward*, and a Blemish upon the Honour of the whole Nation: That great Uneasiness of Conscience, and Judgments from Heaven, must follow such Measures of Course: That since the discharging the true Religion, throwing out the Reformed Offices, and bringing Superstition and Idolatry into their Place, all the Orthodox Preachers have been removed, have been harrassed and robbed, with such Cruelty and Injustice, as exceeds the Barbarity of *Turks* and *Infidels*.

'They conjure their Majesties and the Parliament, by every Thing sacred and valuable, to consider the lamentable State of Religion, and how much the Nation is likely to suffer in their eternal Interest: They earnestly desire, therefore, the Church may be retrieved from this deplorable Condition. As for themselves, they request they may be brought before the Council, or Parliament; and if they fail either in maintaining the Homilies and Service set forth in the late Reign, or in proving the Unlawfulness of the Liturgic Forms used at present, if they fail in making good either of these Points, and that by Catholic Principles and Authorities, they are willing to be burnt at the Stake, or submit to any other Death of Ignomy or Torture, which their Majesties shall appoint them.'

Philip and *Mary*. Not long after they made another Addreſs to their Majeſties and the Parliament, of reſembling Contents: They complain, 'They have been 'thrown out of their Eſtates, their Goods ſeized, 'and their Books taken from them: That they have 'been miſreported to their Majeſties, reproached 'for Heretics, cloſely confined for fifteen or ſixteen 'Months, and not allowed the Liberty to juſtify 'themſelves againſt the Calumnies thrown upon 'them. They deſire they may be brought pub-'lickly to their Anſwer, either before the Parlia-'ment, or ſuch indifferent Judges as their Maje-'ſties ſhall appoint.

'Under ſuch an Allowance they don't queſtion 'their being able to throw off the Imputation of 'Hereſy; to defend the Reformation from Point to 'Point, and ſhew the Excommunications publiſhed 'againſt them of no Force; and that the Names 'of Diſadvantage and Infamy belong rather to 'their Adverſaries: To their Adverſaries, who, 'with reſpect to their Majeſties, may rather be 'ſaid to ſtand in the Place of the *Egyptian* Magi-'cians to *Pharaoh*; of *Zedekiah* and his Party of 'Prophets, to *Ahab* King of *Iſrael*; and of *Barjeſu*, 'to the Pro-Conſul *Sergius Paulus*. And, laſtly, 'they offer to juſtify the Doctrine and Worſhip 'eſtabliſhed in the late Reign, by Scripture and 'Antiquity, under the higheſt Penalties.'

Whether the Freedom of theſe Addreſſes gave Diſguſt, or the Miſbehaviour of ſome of theſe People had ſoured the Humour of the Court againſt them, it is not known; however the Preachers met with no Encouragement from any of the Three Eſtates at that Time. Mr. *Collier* and other Writers have given ſeveral Inſtances of the Reformers openly ridiculing, both in Words and Actions, the Popiſh Ceremonies and Worſhip.

But there is one Thing however greatly commendable in the Government of Queen *Mary*, which was, reviving the antient Conſtitution of annual Parliaments: And accordingly, in the next Year, we find that another was called to meet at *Weſtminſter*

Weſtminſter on the 21ſt of *October*, in the third Year of her Reign. The Queen rode to the Parliament-Houſe in an open Horſe-Litter, to be ſeen of every one; and we are told that ſhe never looked more chearful, in the Judgment of all that ſaw her. *Philip* and *Mary*.

The *Journals* of the Lords have long omitted the Lord-Chancellor's Speech at the Opening of a Parliament, as alſo the Formality of chuſing a Speaker of the Commons; but ſtill the Names of the Receivers and Triers of Petitions, for the different Parts of the *Engliſh* Dominions, are given, in *French*, after the antient Manner. And amongſt theſe the Petitions which were to come from *Gaſcoigny*, the Iſles, and other Parts, long ſince loſt from this Crown, are never omitted.

The *Journals* of the Commons, for this Parliament, are ſomewhat more explicit than the other; and tell us, that the Biſhop of *Wincheſter* opened it by a Speech, importing, that it was called for a neceſſary Aid to be made to her Majeſty. That this Houſe unanimouſly choſe for their Speaker *John Pollard*, Eſq; deeply learned in the Laws of this Land. It is to be noted that, by the Authority of both the *Journals*, the Lord-Chancellor *Gardiner*, Biſhop of *Wincheſter*, appeared for the firſt and ſecond Days of this Seſſion, but no more. It ſeems he fell ſick on the 24th of this Month, and died on the 12th Day of *November* following. Biſhop *Burnet* imputes his Death to his ſtaying over long for Dinner, the Day that *Latimer* and *Ridley* were to be burnt, 'till a Meſſenger ſhould come Poſt to tell him that the Faggots were lighted: Which as ſoon as he heard, he went chearfully to his Victuals; but at Dinner was ſtruck with the Illneſs of which he died, *viz.* a Suppreſſion of Urine.

An. Reg. 2 & 3. 1555. At *Weſtminſter*.

JOHN POLLARD, Eſq; Speaker.

This marvellous Tale our Prelate has retailed, from an old Wife's Story in *Foxe* [a]; but has left out one Particular, that the old Duke of *Norfolk* dined with the Chancellor that Day, as *Foxe* ſays,

[a] See the whole Story in *Foxe*'s *Acts and Monuments*, Vol. II. p. 1622. *Edit. Lond.* 1597.

Philip and *Mary*. and was uneasy to stay so long for his Dinner. It is somewhat strange that a Man should be uneasy for his Dinner above a Twelvemonth after he was dead: For this old Duke died at *Framingham* Castle, in *September* 1554 [b], and was succeeded by his Grandson, who could be no old Duke of *Norfolk*. *Ridley* and *Latimer* died at the Stake *October* 16, this Year, five Days before the Parliament met; and *Gardiner*'s appearing in the House the two first Days of the Meeting is proved by the *Journals*, which the Bishop certainly, saw but would not take Notice of, for Fear of spoiling so fine a Story. Besides, we are told by Bishop *Godwin*, as zealous a Protestant Writer as any Man, that *Gardiner*, Bishop of *Winchester*, died of the Gout [c].

On the Death of the Lord-Chancellor, it is supposed that the Lord-Treasurer, the Marquis of *Winchester*, *Virtute Officii*, adjourned the Parliament from Day to Day; since there is no Mention of any Commission granted for executing the Chancellor's Office. And tho', by the Negligence of the Clerks, the Adjournments are not entered, yet, on the last Day of the Session, we find that the Lord-Treasurer, by the Queen's Command, did dissolve this Parliament.

By the Death of this great Minister the Affairs at Court must be much embarrassed; however, the Parliament went on with their Proceedings.

The *Journals* of the Commons inform us, that, *October* 23, when the Commons appeared with their Speaker, to present him to the Queen, he made an eloquent Oration. After which was read a Bull from the Pope's Holiness, confirming what Cardinal *Pole* had promised relating to the Assurance of Abbey-Lands, *&c.* and, when the Commons were retired to their own House, a Bill was revived concerning the Absence of Knights and Burgesses in the Time of Parliament.

The

[b] *Dugdale* says he died *Mariæ* 1mo, which was *Anno* 1553. *Dugd. Baron.*

[c] *Godwin* de Præsul. *Ang.*

The next Day, after reading the aforesaid Bill again with some others, a Motion was made for a Supply to be granted to her Majesty; and Mr. Comptroller, Mr. Secretary *Petre*, with eighteen more Members, were ordered to draw up a Bill for that Purpose. On the 28th the Bill was read a first Time, for a Subsidy and two Fifteenths, but on the third Reading, *October* 30, it met with some Opposition; and the next Day Mr. Secretary *Petre* declared to the House, That the Queen gave them Thanks for the two Fifteenths, but was contented to refuse them; on which the Bill for a Subsidy only was passed the Day after and sent up to the Lords. *Philip* and *Mary*. A Subsidy.

This is all which can be gathered from the *Journals* about this Affair; but Bishop *Burnet* is somewhat more explicit in the Matter. He tells us, 'That it seems the Humour of that House was now greatly changed; for when a Subsidy and two Fifteenths were moved for there, for paying the Debts of the Crown, it was opposed with great Vehemence. It was said, that the Queen had profusely given away the Riches of the Crown to the Clergy, and then applied to the Laity to pay her Debts; but why did she not rather ask it of the former? To this it was answered, That the Convocation had given her a Subsidy of six Shillings in the Pound; and that the Queen now asked, after three Years Reign, nothing but what she had discharged her Subjects of at the Beginning of it. The Prelate adds, that the Heats grew high in the House on this Debate; 'till Secretary *Petre* brought a Message from her Majesty, with Thanks to them who had first moved for two Fifteenths; but she now refused to take them; on which the Subsidy alone was agreed to.' This Bill passed the House of Lords on the first Reading, which is the only Instance of that Kind we have yet met with [d]. But it must not be omitted, that, in drawing up this Act, an Oath, which had been formerly prescribed to all

[d] —— *quæ* prima Vice *lecta est, et, communi omnium Procerum Assensu, conclusa est.* Journ. Procer.

Philip and *Mary*. Manner of Perſons for giving in a juſt Account of their Eſtates, was wholly omitted; which made the Subſidy ſink beneath Expectation. But, ſays *Heylin*, the Queen came to the Crown by the Love of the People, and was to do nothing to hazard thoſe Affections ſhe held it by [e]. This Subſidy, according to *Stowe*, was Eight-pence in the Pound on all thoſe worth from five Pounds to ten; from ten Pounds to twenty, Twelve-pence in the Pound; and, from twenty Pounds upwards, Sixteen-pence. All Strangers were taxed double [f].

Biſhop *Burnet* alſo informs us, 'That, on the 23d of *November*, a Bill for ſuppreſſing of Firſt-Fruits and Tenths, and the reſigning up all Impropriations that were yet in the Queen's Gift, to the Church, to be diſpoſed of, as the Legate thought fit, for the Relief of the Clergy, was brought into the Houſe. The *Lords' Journals* acquaint us, that this Bill was brought into their Houſe on the 20th, and paſſed there, after three Readings, on the 23d of *November*; the Earl of *Hereford* and the Lord *Cobham* diſſenting. It was ſent that Day down to the Commons, who kept it ſome Time, for it was not returned by them 'till the 4th of *December*, with a Schedule annexed to it, requiring certain Things to be amended in the Bill; which, upon Debate, were by the Lords aſſented to.

Bill for Reſtitution of Church-Lands.

The Queen had a much greater Deſign which ſhe hoped to have executed this Parliament, which was getting an Act for reſtoring of all ſuch Lands to the Church as had belonged to it, and was devolved upon the Crown; and from the Crown into the Hands of private Perſons, by the Fall of Monaſteries and other Religious Houſes, or by any other Ways or Means whatſoever. She had been tampering with ſome Lords about this Act, but found ſuch a general Averſeneſs to any Kind of Reſtitution in the Lay Nobility, that ſhe was adviſed to deſiſt from that unprofitable Undertaking. Certain it is, ſays Dr. *Heylin*, that many, who were cordially

[e] *Queen* Mary, p. 53.
[f] *Stowe*'s *Chron.* p. 627.

ally affected to the Queen's Religion, were very much ſtartled at the Noiſe of this Reſtitution; inſomuch, adds he, that ſome of them are ſaid to have clapped their Hands upon their Swords, affirming, not without ſome Oaths, That they would never part with their Abbey-Lands as long as they were able to wear a Sword by their Sides [g]. Which Reſolution being told the Queen, ſhe thought proper to drop that Affair, and only ſet them a good Example, by giving up to the Church what was really her own to give, the Firſt-Fruits and Tenths aforeſaid; which, as they had been ſettled on the Crown by an Act of Parliament, muſt be releaſed by another. This ſhe was ſo poſitive in doing, that when the Affair was argued in Council, and ſome Lords objected, that if ſuch a conſiderable Part of the Revenue was diſmembered from the Crown, the State of her Kingdoms and Imperial Dignity could not be ſo honourably maintained as formerly, ſhe is ſaid to return this Anſwer, *That ſhe preferred the Salvation of her Soul before ten ſuch Kingdoms* [h]. *Philip* and *Mary*.

But notwithſtanding this Bill paſſed the Lords ſo eaſily, it was greatly oppoſed in the Houſe of Commons; for our Right Rev. Author, from the *Journals*, tells us, That, on the 19th of *November*, the Queen ſent for that Houſe, and told them, 'She 'could not, with a good Conſcience, take the 'Tenths and Firſt-Fruits of Spiritual Benefices; it 'was a Tax her Father laid on the Clergy, to ſup-'port the Dignity of *Supreme Head*; of which, 'ſince ſhe was diveſted, ſhe would alſo diſcharge 'the other.' Then the Legate made a Speech, to ſhew that Tythes and Impropriations of Spiritual Benefices were the Patrimony of the Church, and ought to return to it; and upon this the Queen declared, That ſhe would alſo ſurrender up thoſe Matters

g *Heylin's Queen* Mary, p. 53.

h *Grafton* writes, That the Queen did this by the Perſuaſion of the Cardinal, and ſome other Clergy; who told her, That ſhe could not proſper whilſt ſhe kept in her Hands any Poſſeſſions of the Church. But, ſays he, the Reſignation of them was a great Diminution to the Revenues of the Crown. *Grafton's Chronicle, ſub hoc Anno.*

Philip and *Mary*. Matters to the Church. Whilſt the Houſe of Commons were before her Majeſty, one *Storey*, a Member of that Houſe, falling on his Knees, told the Queen that the Speaker did not open to her their Deſire that Licences might be reſtrained. This was a great Affront to the Speaker, who, when they were returned, complained of it to the Houſe; but *Storey* confeſſing his Fault, and the Houſe, ſays *Burnet*, knowing that he ſpoke the Words from a good Zeal, forgave him. This very Man is mentioned before, as being ſent to the *Tower* for uſing great Liberty of Speech againſt King *Edward* VI. and the Protector, in his Oppoſition to the Act for the firſt Book of the *Engliſh* Common-Prayer. He was now on the other Side of the Queſtion, in oppoſing Licences from *Rome*; and *Burnet* himſelf ſays, That this Man of good Zeal was afterwards condemned for Treaſon, in the Reign of Queen *Elizabeth*, as will appear in the Sequel[i].

The ſame Author tells us, That it was once thought proper that the Surrender of Impropriations ſhould be left out of this Bill; ſince, as was urged, the Queen might do that as well by Letters Patent; and if it was put in the Bill it would raiſe great Jealouſies, for it would be underſtood that the Queen did expect that her Subjects ſhould follow her Example. The Tythes, however, were reſolved to be recovered to the Church, ſo they were put in; though all, ſays our Authority, were long argued in the Houſe; ſome ſaying that the Clergy would rob the Crown and the Nation both, and that the Laity muſt then ſupport the Dignity of the Realm. At laſt, it being particularly committed to Sir *William Cecil* and others, to be by them examined on the 3d of *December*, the Houſe divided upon it, and the Bills were carried on a Majority of 193 againſt 126. To conclude this Affair, it may not be amiſs to give the Preamble to this Bill, to ſet the Matter in as clear a Light as poſſible; and eſpecially ſince that Act itſelf is not printed amongſt the Statutes of this Parliament.

By

[i] *Hiſtory of the Reformation*, Vol. II. p. 322, &c.

By it is declared, 'That the Payment of First-Fruits and Tenths was extinguished: And all Rectories, Benefices impropriate, Glebe-Lands, Tythes, Oblations, Pensions, *&c.* vested in the Crown since the 20th Year of King *Henry* VIII. are given up to the Church for the Augmentation of the Livings to which they formerly belonged, for the Advantage of other poor Cures, for the furnishing Preachers, for the exhibiting Scholars: And the Disposal of these Revenues, thus restored, is left to the Discretion of the Lord Legate Cardinal *Pole*. But then there was a Proviso for saving the Right of the Subject, who had any Interest in these Estates granted from the Crown. There is likewise a Clause for exonerating the King and Queen, and their Successors, from the Payment of Pensions and Annuities to the Monks: To which are added Corrodies and Fees, which for the future were to be paid out of the Tenths, First-Fruits, *&c.* without any Burden upon the Crown. There is another Proviso, by which the Patronage of these Impropriations belonging to the Crown is still reserved. And because some Temporal Estates had been intermixed, and leased out by the Crown with these Tenths, Impropriations, *&c.* it is enacted, That Commissions shall be awarded out of the Exchequer to six different Persons, three of the Spirituality, and three of the Temporality, to call twelve Men, of Credit and Substance, before them: Twelve Men inhabiting in the Neighbourhood where these Estates lie; and to oblige them, upon Oath, to distinguish and sever the Glebe-Lands and other Spiritual Possessions from the Temporal Estates, and to rate and apportion how much Rent shall be paid for the one and the other.' *Philip* and *Mary*.

The Affair of Licences, mentioned above, occasioned another Mistake in Bishop *Burnet*; for he tells us that they were Licences from *Rome* that were to be restrained: Whereas these Licences were to dispense with some Ecclesiastical or other Laws of this Land; as, Licences to Great Persons to eat Flesh

Philip and Mary. Fleſh in *Lent*, or on other Faſting Days, for themſelves, and as many as ſhould come to their Tables. Alſo Licences to ſome to give the ſame to their Servants to ſhoot, in Croſs Bows or Hand-Guns, at any Fowl, or at any Manner of Deer, Red or Fallow. Licences for Merchants to import forbidden Merchandize. Many ſuch Kind of Licences may be met with amongſt the Records of thoſe Times. A Bill was calculated to make void all ſuch Monopolies as were granted by the Queen, her Brother or Father; but it was laid aſide at the ſecond Reading.

There were ſeveral other Bills which were read in the Houſe, but did not paſs into Acts. Amongſt which there was one for incapacitating of ſeveral Perſons from being Juſtices of Peace, which was caſt out by the Commons at the firſt Reading. This was calculated chiefly, ſays *Burnet*, againſt ſuch as were ſuſpected of too much Remiſſneſs in puniſhing of Heretics. But the Commons would do nothing to encourage that; nor was there any Occaſion for it, ſince it was in the Queen's Power to leave out of the Commiſſion who ſhe thought fit; but, adds he, it ſhewed the Zeal of ſome, who had a Mind to recommend themſelves by ſuch Motions. But how temperate ſoever this Houſe of Commons might be in theſe Affairs, the two preceding ones were warm enough in their Zeal; ſince they revived all the bloody Laws againſt Heretics, which were made for ſome Centuries paſt.

November 13. Was read in the Houſe of Lords, for the third Time, a Bill againſt ſuch Perſons who were gone out of the Realm, without the Queen's Licence, or that contemptuouſly ſhall make their Abode there. This was levelled at the Ducheſs of *Suffolk* and other Perſons, the greateſt and wealthieſt of thoſe who favoured the Reformation, who had retired abroad to ſave their Conſciences and Eſtates. They were required to return, under ſevere Penalties; but the Commons, ſays *Burnet*, thought they had already conſented to too many ſevere Laws of that Sort, and therefore rejected this Bill.

Another

Another Bill againſt *Anne Calthorp*, Counteſs of *Suſſex*, who had left her Huſband, and gone abroad, on a quite different Occaſion than Religion; for ſhe lived in *France*, in open Adultery, and had ſeveral Children to others. The Bill was to deprive her of her Jointure, in Caſe ſhe would not repair into this Realm within a Time limited, and make her Purgation before the Biſhop of her Dioceſe. But tho' this ſeeming reaſonable Bill paſſed the Lords, it was rejected by the Commons; and yet in the next Parliament the Commons firſt carried it, and then it was paſſed againſt her. *Philip and Mary.*

There are twenty-three Acts and Titles of Acts, in the printed Statutes, paſſed this Seſſion; in the Lords' Catalogue, twenty-four. Some of which are for the Encouragement of Trade and the Woollen Manufacturies. And one, particularly, to inhibit all Purveyors of the Crown from taking up any Proviſions within five Miles of *Oxford* or *Cambridge*; by which Means thoſe Markets were more plentifully ſerved with all Sorts of Proviſions, and at more reaſonable Rates.

December 9. The Queen came to the Houſe to paſs the Bills; after which the Marquis of *Winchester*, Lord-High-Treaſurer, the Chancellor being dead, by her Majeſty's Command, diſſolved this Parliament.

We have now a Gap of two Years before we meet with another Parliament; in which Time many various Affairs of State happened in *England* and *Europe*, which our larger Hiſtorians are full of. One Accident, however, deſerves Notice, and that was the Loſs of the important Town of *Calais*, in *France*, from the *Engliſh* Crown. It was taken by the Duke of *Guiſe*, about the Beginning of the Year 1558, after it had been ſome Centuries annexed to theſe Dominions; and was not only the Key to *France* but the Staple of the *Engliſh* Trade into almoſt, all foreign Parts. The Loſs of this Place was a great Diſgrace to Queen *Mary* and her Miniſtry, The Loſs of *Calais.*

Philip and Mary. nistry, since it was evidently lost for want of due Care, and made the People judge that the Queen had put the Government into the Hands of Priests, who understood not War, nor were sensible of the Honour of the Nation. About this Time, however, a Parliament had been called, tho' we cannot find when the Writs were dated, to meet at *Westminster* on the 20th of *January*, in the 5th and 6th Year of the Reign of *Philip* and *Mary*. In the List of the Peers the new-created Abbot of *Westminster*, and the Prior of St. *John* of *Jerusalem*, are now included, and took their Places in that House accordingly.

An Reg. 5 & 6. 1558.

At *Westminster.* Though we have no initiating Speech from the Lord-Chancellor at the Opening this Parliament, yet the *Journals* hath given us the Ceremony of presenting the Speaker of the House of Commons to the Queen; who was *William Cordell*, Esq; Master of the Rolls; whose Excuse not being allowed, he was admitted, with the usual Protestation. But the *Journals* of the Commons acquaint us, that *Nicolas Heath*, Archbishop of *York*, then Lord-Chancellor, declared, that this Parliament was called for granting an Aid to her Majesty: And accordingly the first Thing that we find, worth Notice, in their Proceedings, is, That on the 16th of *February* a Bill was sent up by the Commons, for granting a Subsidy of one Fifteenth to the Queen by the Laity; the Clergy, in Convocation, having set a liberal Example by taxing themselves in a Subsidy of eight Shillings in the Pound, to be paid in four Years; which was also confirmed by Parliament. The Bill for the Lay Subsidy, &c. passed the House of Lords, *Nemine contradicente*, *Feb.* 19, and this is all which their *Journals* say of this Matter.

WILLIAM CORDELL, Esq; Speaker.

Another Subsidy.

But the *Journals* of the Commons acquaint us, 'That, on the 24th of *January*, the Lords sent a Message to that House, desiring that the Speaker, with ten or twelve more, would meet with a Committee of the Lords; which consisted of three Earls, three Bishops, and three Barons. The Commons consented to this Proposal, and agreed that twenty-

one

one of their House should meet the Lords, and confer on the Queen's Wants and the State of the Nation. This Conference continued some Time; for it was not till the 4th of *February* that a Bill was first read for a Grant of a Subsidy and two Fifteenths and Tenths, as agreed on by the Lords and Commons in a Committee. The Bill was read a second Time the next Day; but the Day after, we are told, many Arguments were used about it; and it is probable that the Speaker was desired to know of the Queen whether a less Supply would not satisfy: For, *February* 10, the Speaker acquainted the House, 'That he had opened unto the Queen's 'Majesty his Commission touching the Grant of 'the Subsidy; which the Queen thankfully took, 'giving them present hearty Thanks, and all the 'Realm;' so a Grant of a Subsidy and one Fifteenth only, *February* 16, was all that was given at that Time. The Subsidy, as the same Authority informs us, consisted of four Shillings in the Pound on Lands, and two Shillings and Eight-pence, from five Pounds upwards, on Goods to be made before the 24th of *June* next.' *Philip and Mary.*

There were two Bills brought into the House of Lords, for regulating the Officers or Collectors of the Subsidies or Customs; and for their true answering the Debts due to the Queen on those Customs. But these, tho' they passed the Upper House, were laid aside by the Commons. The Speaker informing them, that, by a Message from the Queen, he was told these Collectors had accounted for their Receipts, and therefore it was her Majesty's Pleasure they should proceed no farther with those Bills.

A Design for carrying on the War briskly against *France* seems to have been entered into this Parliament. An Act was passed for the raising of good and able Men and taking of Musters; another, for appointing what Number of Men, Horses, and Armour each Man was obliged to find; also Inquiry was to be made into the Behaviour of *Frenchmen*, being Denizens of this Kingdom. And we find War with *France.*

that

Philip and *Mary*. that a Bill passed the House of Lords for prohibiting the Importation of all *French* Wines and Merchandizes; but the Commons rejected it, as an Hindrance to Trade.

A Bill for the Repeal of divers Letters Patent, making Denizens of several Persons, born under the Obeysance of the King of *France*; another, for assigning a yearly Payment from *Frenchmen* inhabiting within this Realm, towards the Fortification of several Towns; and another Bill for the Expulsion of all *Frenchmen* out of the Realm, passed the House of Lords, but was rejected by the Commons; the latter on a near Division, 106 against 111. All these shew that the Loss of *Calais* occasioned a great Resentment in the *English* Parliament; and that the Nation were then not without great Fears and Apprehensions, as they might well be, that important Port being taken, a *French* Army so near, and at open War both with *France* and *Scotland*.

Towards the End of this Session a Bill was brought in for the Confirmation of the Queen's Letters Patent. It was read a third Time in the House of Lords, *February* 26, and was passed; the Earls of *Oxford*, *Arundele*, and *Derby*, with the Lords *Cobham* and *Mountjoy*, dissenting. It was returned by the Commons on the 7th of *March*, the last Day of this Session, with certain Amendments. This Bill was designed chiefly for confirming the Religious Foundations the Queen had made. Whilst it was depending in the Lower House one [k] Mr. *Copley*, a Member, happened to say in the Debate, 'That 'he did not approve of such a general Confirma- 'tion of all she had given, or might give; lest, un- 'der Colour of this, she might dispose of the Crown 'from the right Heirs to it.' The House was much offended at this, and *Copley* was made to withdraw. He was voted guilty of great Irreverence to the Queen; and though he asked Pardon, and desired it might be imputed to his Youth, yet they kept him in the Serjeant's Hands till they had sent to the Queen to desire her to forgive his Offence.

[k] *Burnet* erroneously calls him *Coxley*.

fence. She returned for Anſwer 'That, at their *Philip* and *Mary*.
'Requeſt, ſhe readily forgave him; but deſired
'them to examine him from whence that Motion
'ſprung.' There is no more entered in the *Journal* about this Affair; and it ſeems to have been dropp'd; but it ſhews, ſays Biſhop *Burnet*, a proper Reſentment in the Houſe, as well as their high Eſteem for the Queen, and their Reſolution to have the Crown deſcend, after her Death, to her Siſter[1].

An Act was made in this Parliament alſo, which was read two or three Times in the laſt, 'That Acceſſaries to Murder and diverſe Felonies ſhould not have their Clergy; to which was added, at firſt, That they might not have the Benefit of Sanctuary. But becauſe this Addition might hinder ſo uſeful a Bill from paſſing, the Churchmen being very tenacious of their Privileges, it was thought convenient to leave it out, and a ſeparate Bill brought in concerning Sanctuaries, which was wholly to take them away. Againſt this *Feckenham*, then Abbot of *Weſtminſter*, for the Sake of his Church's Privileges in that Particular, made much Oppoſition, and deſired to be heard by his Counſel. It was ordered that he ſhould come down to the Houſe the next Day, and they ſhould be heard. Accordingly the famous Mr. *Plowden*, and Dr. *Story*, a Civilian, appeared for him, and produced ſeveral antient Grants from the Kings of this Realm, and alſo the Queen's Grant for the Confirmation of his Sanctuary; and then they deſired the Houſe to conſider for the Preſervation of the ſame. It is probable that the whole Bill was let drop, for we hear no more of it; and it is certain that it did not paſs into a Law in this Reign.

An Act, inflicting five Years Impriſonment, or a large Fine, on all thoſe concerned in conveying away and marrying young Heireſſes, under ſixteen Years of Age, paſſed this Seſſion, and is printed at Length amongſt the *Statutes at large*, cap. viii. *Anno* 4 & 5 *Philip* and *Mary*. It is remarkable, that

1 *Hiſtory of the Reformation*, Vol. II. p. 361.

Philip and Mary. that four Lords and one Bishop dissented at the passing this Bill. A private Act was passed for the restoring in Blood Sir *Ambrose* and Sir *Robert Dudley*, Knights, the only two surviving Sons of the great Duke of *Northumberland*. This *Robert*, in the next Reign, was the famous Earl of *Leicester*.—There was also a Dispute settled in this Parliament between the Lords *Clinton* and *Stafford*, for Prehemineence of Place; in which the former was proved to have the Preference.

On the 7th Day of *March* the Queen came to the House of Lords and passed the Bills, sixteen in Number, though the *Statute-Book* only says ten. After which the Lord-Chancellor, by her Majesty's Command, prorogued this Parliament to the 5th Day of *November* next ensuing.

An. Reg. 5 & 6. 1558

At *Westminster.* At which Time, being again assembled, they proceeded to Business; which the *Journals* of the Lords inform us was only reading some Bills, seemingly of no great Consequence; except one, whose Title was, 'That no Man shall print any Book or Ballad, &c. unless he be authorized thereunto by the 'King and Queen's Majesties Licence, under the 'Great Seal of *England*.' As this is the first Restraint to the Liberty of the Press which we have yet met with, it is the more remarkable, because it shews us that the Art of Printing, which had not then been much more than half a Century in Use, was become so obnoxious to the Government, that they were obliged to have Recourse to an Act of Parliament to restrain it. What Fate this Bill would have had in the House of Commons is uncertain; for at the third Reading, on the 16th of *November*, the Clerk breaks off the *Lords' Journal* very abruptly. This must be occasioned by the desperate State the Queen was then in, who died the next Day, *November* 17; and by her Death this Parliament was dissolved.

Bill for Restraint of the Press.

This is all we can meet with, worth Notice, in the Authority above-cited; but the *Journals* of the Commons give us the following Account:

'On

On the 7th of *November* the Queen sent for the Speaker of the House of Commons, and ordered him to open to them the ill Condition the Nation was in; for, though there was a Treaty begun at *Cambray*, yet it was necessary to put the Kingdom in a Posture of Defence, in Case it should miscarry; but the Commons were so dissatisfied, that they would come to no Resolution: So, on the 14th Day of *November*, the Lord-Chancellor, the Lord-Treasurer, the Duke of *Norfolk*, the Earls of *Shrewsbury* and *Pembroke*, the Bishops of *London*, *Winchester*, *Lincoln*, and *Carlisle*, the Viscount *Montacute*, the Lords *Clinton* and *Howard*, came down to the House of Commons, and sat in that Place of the House where the Privy Counsellors used to sit. The Speaker left his Chair, and he, with the Privy Counsellors that were in the House, came and sat on low Benches before them. The Lord-Chancellor shewed the Necessity of granting a Subsidy to defend the Nation, both from the *French* and the *Scots*. When he had done the Lords withdrew; but tho' the Commons entered both that and the two following Days into the Debate, they came to no Issue in their Consultations. *Philip* and *Mary*.

It was now a very sickly Season for Agues and burning Fevers, which were very mortal, both this and the last Year, and carried off Abundance of People, as our Historians tell us. It was also contagious; which occasioned the House to give Licence for one *John Thacker*, Burgess for *Derby*, to be absent, he having reported that the Town was sore infected from whence he came. And, some few Days after, an Order was made by the House, That every Member who was sick should be excused from Attendance. And whereas a Motion was made, That every Member, being sick, might be expelled the House, and Writs made out for electing another in his room, it was resolved in the Negative.

The Reason why the Commons came to no Resolution about granting a Subsidy, was occasioned, no Doubt, by the Queen's Death; since, in all Pro-

Philip and *Mary*

bability, according to the Dates above, they had not Time to frame a Bill for that Purpose: For, on the 17th of *November*, a Message was sent by the Lords to the Lower House, requiring the Speaker and their whole House to come to them, when they should hear certain Matters that the Lords had to communicate to them. Whereupon he, with the rest of the House, went up; and the Lord-Chancellor told them, That God had taken the Queen to his Mercy, but had furnished them with another Sovereign Lady, my Lady *Elizabeth*, her Grace. And then willed the Knights and Burgesses to resort to the Palace, where the Lords would come and cause her Grace to be proclaimed Queen of *England*, &c. and immediately after the said Proclamation was there made.

The Death of the Queen,

Thus far the *Journal*. The Queen's Death could not be called sudden, or unexpected, for she had never enjoyed her Health since she parted with the false Conception mentioned before. Our Right Reverend Author reckons up some more Reasons for bringing her to her End. The great Neglect of King *Philip*, her Husband; who, after he despaired of having any Issue by her, had left the Kingdom and her to shift for themselves; and had drawn her into a dangerous and expensive War into the Bargain. The Loss of *Calais* had also given a mortal Stroke to her Peace of Mind; and, joined to the other Misfortunes of this Year, had much increased her Melancholy: So that a long Declension of Health, and a Decay of Spirits, brought on a Dropsy, which put an End to her unhappy Life. Within a few Hours after the Queen, died also Cardinal *Pole*, Archbishop of *Canterbury*, after he had struggled some Time with the Quartan Ague: A Man, whom a great Historian [m] allows to be more renowned for his Piety, Learning, and Integrity, than for the Glory of his Royal Descent; tho' he was Son to the Daughter of *George* Duke of *Clarence*, Brother to *Edward* IV. King of *England*.

And of Cardinal *Pole*.

It

[m] *Camden*'s Introduction to his History of Queen *Elizabeth*.

It is said, by *Sanders* [n], That when Queen *Mary* found that she must die, she sent some Noblemen to the Lady *Elizabeth*, who was to succeed her, to desire certain Things of her; but especially two. The first was, That she would take Care to repay what Sums *Mary* had taken up of her Subjects for the Public Service; but, in Truth, to carry on the War she had entered into to please her Husband *Philip*. The other, That she would not permit the Catholic Religion, then constituted and established in *England*, to be overturned again. Both which, this Author says, she promised, but performed neither. But *Sanders*'s Partiality to the Catholic Cause is sufficiently exposed by Bishop *Burnet* and others. It is certain, however, that Queen *Mary* borrowed a great deal of Money, both this Year and the last, from the City of *London*, and most rich Men of the Realm. Another Author writes [o], That she used various Ways to raise Sums; as giving out Privy-Seals, for which she required a hundred Pounds a Piece from such as were judged wealthy, whether Gentlemen or others; which caused great Murmurings amongst the People, because large Subsidies had been levied by Act of Parliament. That in this last Year she again required great Loans of Money from all Parts and was so indigent as to drop from 100 *l.* to borrowing of 50, 40, 20, nay even 10 *l.* according to People's Abilities. This caused more Murmurings; and, as our Author says, it troubled the Queen as much; for she made it one of her last Requests to her Sister and Successor to see these Loans satisfied, since she found she could not live long enough to get another Aid granted by Parliament. It is to be observed, also, that no Authors, except the last quoted, mention these small Loans, which seem much below the Dignity of a crowned Head to borrow. Old *Stowe*, indeed, tells us, That,

Philip and *Mary*.

Z 2

[n] *De Schismate* Anglicano.

[o] *Cowper*'s *Chronicle*. See the Annotations on this Reign, in *Kennet*'s *History of England*, Note (aa) Vol. II. p. 359.

Philip and *Mary*. That, in the last Year of the Queen, a Prest or Loan was granted by the City of *London* to her of 20,000 *l.* for a Year; but that they had Security for the same out of the Crown Lands, and were to have twelve *per Cent.* for the Money [p].

Lord Chief Justice *Coke* hath given us the Names of several Members of the two last Parliaments of this Queen, (who, disliking the Proceedings, left their Seats in the House of Commons) taken from the Writs of their Prosecutions. No Judgment is entered against them; and it seems as if the Names of the Cities and Towns, to most of them, were the Places the Members served for. We shall conclude this Reign with a List of their Names as follows [q]:

The Names of several Members, who left the House in Disgust.

Tho. Constable, de *Grimsby*, Com. *Linc* [r].
Henry Leigh, de——,
Francis Farnham, de *Quern*, Com. *Leic.*
John Holcroft, sen. de ——, Knt.
Thomas Somerset, de —,
George Ferrers, de *Markyat*, Com. *Heref.*
Nicholas Powtrell, de *Extinction*, Com. *Nott.*
Thomas Moyle, de ——, Com. *Kent*,
Thomas Waters, de——,
William Tylcock, de Civit. *Oxon.*
Thomas Balkden, de *Wechyngleigh*, Com. *Surr.* Knt.
Matthew Cradock, de Villa, *Stafford*,
Thomas Parker de ——,
Arthur Allen, de Civit. *Bristol*,
Egidius Payne, de eadem,
William Wigston, de *Wolston*, Com. *Warw.*
Ralph Brown, de *Woodlowes*, Com. *Warw.*
Richard Rayleton, de —,
Marsh Wyrley, de Civit. *Litchfield*,
Walter Jobson, de Vill. de *Kingston super Hull*,
George Lye, de Villa, *Salop*,
John Hoord, de *Bridgenorth*, Com. *Salop*,
John Alsop, de Villa *Ludlow*, Com. *Salop.*
William Lawrence, de Civit. *Winton.*
Robert Hudson, de eadem,
Edmund Rouse, de *Donwich*, Com. *Suff.* Knt.
Robert

[p] *Stowe*'s *Chronicle*, p. 632.
[q] *Coke*'s 4 Inst. p. 19, 20.
[r] This Man and seven others are said to be *utlegat. i. e.* outlawed.

Robert Coppinge, de *Donwich*, Com. *Suff.*
John Harman, de Hoſpitio Regis, et Reginæ.
William Crouch, de *Wellewe*, Com. *Som.*
Thomas Lewes, de *Welles*, Com. *Som.*
William Godwyn, de eadem,
Peter Taylor, de *Marlbro*, Com. *Wilts*,
Edward Braxden, de Civit. *Worceſt.*
George Newport, de *Droitwich*, Com. *Worc.*
John Harforde, de Civit. *Coventry*,
Nicholas Fryſh, de ——,
James Brenn, de ——,
John Payton, ——,
John Cheney, ——,
William Oxenden, —,
Thomas Keys, ——,
William Hannington, —, } Com. *Kent*,
John Aſhburnham, de *Aſhburnham*, Com. *Suſſ.*
William Reynaum, de Civ. *Ciceſt.* Com. *Suſſ.*
William Woodjere, de *Slindon*, Com. *Suſſ.*
William Pellet, de *Steining*, Com. *Suſſ.*

Richard Bowyer, de *Arrundele*, Com. *Suſſ.* Pl. 1 and Mary.
John Roberts, de ——,
William Danby, de —, Com. *Weſtm.*
Robert Griffith, de *New-Sarum*, Com. *Wilts*,
John Hooper, de eadem,
William Clark, de ——,
Griffith Curtys, de *Bradſtock*, Com. *Wilts*,
Henry Hill, de *Deviſes*, Com *Wilts*,
Edward Upton, de Civ. *London*,
John Reade, de eadem,
William Hampſhire, de eadem,
John Tyſſars, de ——,
Nicholas Cripſe, de —,
Edward Herbert, de *Stawley*, Com. *Sal.*
Richard Lloyde,
John de Knylle, de ——,
H. Jones, de ——,
Meredith Gaines,
Richard Bulkley, de —, Knt.

The Popiſh and Proteſtant Writers of theſe Times vary, as far as Black from White, in giving Queen *Mary* a Character; one Side making her a Saint, and the other a Devil. It is needleſs to enter into theſe various and oppoſite Diſputes; but one Remark ſeems neceſſary to make, which

Philip and *Mary*. is this: Her Father, to bring about his Reformation, kept one Parliament several Years; but the Daughter, to restore Things to their former State, had a new one almost every Year. And that whatever Cruelties are imputed to her Bigotry, they must be allowed to have been acted by Authority of Parliament; without which they could not have been executed by Law.

Queen

Queen *ELIZABETH.*

MARY, the eldeſt Daughter of K. *Henry* VIII. being dead without Iſſue, *Elizabeth*, the youngeſt, according to the Act of Succeſſion of the 35th of her Father's Reign, and the Appointment of his Will, ſucceeded to the Crown. She was proclaimed Queen of *England*, *&c.* immediately on her Siſter's Demiſe; and was crowned at *Weſtminſter* on the 15th of *January*, 1558-9, by Dr. *Oglethorp*, Biſhop of *Carliſle*; the Archbiſhop of *York*, and ſome other Biſhops, refuſing to aſſiſt at the Solemnity. Q. *Elizabeth.* 1558.

When the laſt Queen died, the Parliament was ſtill ſitting, as hath been before related. A modern Hiſtorian [t] tells us, 'That her Counſellors and Miniſters were ſtruck with Aſtoniſhment at the Suddenneſs of it; that they kept it ſecret for ſome Hours, in order to conſult what was beſt to be done in the Succeſſion. But, as the Parliament was ſitting, it was not in their Power to decide any Thing concerning it; eſpecially as it was clearly ſettled by the Will of *Henry* the Eighth, authorized by an Act of Parliament that had never been repealed. Their Conſultation therefore ended, adds our Authority, in a Meſſage, which was barely to inform the Parliament of the Queen's Death.' This is Mr. *Rapin*'s Story; by which he would inſinuate, that as the Council could not conclude this Matter, the Right of Succeſſion waited for a Determination by Parliament. Unfortunately for this great Hiſtorian, a much greater Authority is againſt him; for the *Journals* both of Lords and Commons abſolutely tell us, That the Declaration of the Queen's Death was made to both Houſes, by the Lord-Chancellor, the very Day ſhe died. And that he nominated to them her Succeſſor, and deſired the Concurrence

t *Rapin*'s *Hiſtory of England*, Fol. Ed. Vol. II. p. 50.

Q. *Elizabeth.* 1558. Concurrence of both Houſes to aſſiſt at the Proclamation of the *Lady* ELIZABETH, *her Grace.* Beſides, there was no Occaſion for the Counſellors of the late Queen to be ſtruck with Aſtoniſhment at her Death; when they muſt have known that her Caſe was deſperate ſome Time before; and, conſequently, a Diſſolution daily expected.

But, to begin with this Reign, it is neceſſary to acquaint the Reader, that *Elizabeth* retained thirteen of her Siſter's Privy Counſellors, at that Time all zealous Catholics, and added eight new ones, who were equally attached to the Reformed Religion. The Names of the former were, *Heath*, Archbiſhop of *York*; *William Paulet*, Marquis of *Wincheſter*, Lord-High-Treaſurer; *Henry Fitz-Alan*, Earl of *Arundele*; *Francis Talbot*, Earl of *Shrewſbury*; *Edward Stanley*, Earl of *Derby*; *William Herbert*, Earl of *Pembroke*; *Edward Fenys*, Baron of *Clinton*, Lord-High-Admiral; *William* Lord *Howard*, of *Effingham*, Lord-Chamberlain; Sir *Thomas Cheney*, Sir *William Petre*, Sir *John Maſon*, Sir *Richard Sackvil*, and Dr. *Wotten*, Dean of *Canterbury*. *Burnet* ſays, that moſt of theſe Counſellors had complied with all the Changes that had been made in Religion, backward and forward, ſince the latter End of King *Henry*'s Reign; and were ſo dextrous at it, that they were ſtill employed in every new Revolution [w]. The Proteſtant Counſellors were, *William Parr*, Marquis of *Northampton*; *Francis Ruſſel*, Earl of *Bedford*; Sir *Thomas Parry*, Sir *Edward Rogers*, Sir *Ambroſe Cave*, Sir *Francis Knolles*, Sir *William Cecil*, and Sir *Nicholas Bacon*, ſoon after made Keeper of the Great Seal [x].

As it is the Purport of this Hiſtory to ſtick entirely to the Parliamentary Proceedings, ſo all the other Incidents of this Reign, except ſuch as may ſerve to illuſtrate ſome dark Paſſages, will be omitted. The larger Hiſtorians, amongſt whom is the great *Camden*, the particular Writer of this Queen's

[w] *Reformation*, Vol. II. p. 375.
[x] *Camden*.

Queen's Life; and the Chronicles, near this Time, are amply filled with Matter copious enough to satisfy the most greedy Appetite for History. To those, therefore, we leave the Transactions of Peace or War, exempt from Parliamentary Inquiries; which last will alone furnish Matter enough for our Purpose.——To begin: Q. *Elizabeth.* 1558.

Very soon after the Coronation a Parliament met, which had been called by Writs, dated at *Westminster*, *December* 1, to meet there on the 23d of *January* following.

Being all assembled, and the Receivers and Triers of Petitions appointed on *Monday* the 23d, as aforesaid, the Lord-Keeper, and other Great Officers of State, declared to the whole Parliament, that, by reason of the Queen's Indisposition, her Majesty durst not come down to the House on that Day; but had sent a Writ of Prorogation to prorogue the said Parliament to *Wednesday* the 25th Instant; and the said Writ was read accordingly [y]. Anno Regni 1. 1558. At *Westminster*.

The Names and Titles of the Temporal Lords attending this Parliament, are as follow [z]:

Sir *Nicholas Bacon*, Knt. Lord-Keeper of the Great Seal, is put down first every Day in the *Lords' Journal*; but, being no Peer of the Realm, the first Writ was directed to *William* Marquis of *Winchester*, then Lord-High-Treasurer of *England*.

State of the Peerage.

Thomas Duke of *Norfolk*, Earl Marshal of *England*,
John Earl of *Oxford*, Lord-Great-Chamberlain of *England*,
Henry Earl of *Arundele*,
Henry Earl of *Westmoreland*,
Francis Earl of *Shrewsbury*,
Edward Earl of *Derby*,
William Earl of *Worcester*,
Henry Earl of *Rutland*,
Henry Earl of *Cumberland*,
Thomas Earl of *Sussex*,
Francis

[y] The Form of the Writ is inserted at Length in the *Lords' Journals*.

[z] *Dugdale's Summons to Parliament*, An. Reg. 1 *Eliz.*

Q. *Elizabeth.* 1558.

Francis Earl of *Huntingdon*,
Francis Earl of *Bedford*,
William Earl of *Pembroke*,
Anthony Viſcount *Montague*,
Thomas Viſcount *Howard*, of *Bindon*,
Edw. Fenys, Lord *Clinton*, Lord High Admiral of *England*,
William Howard, Lord *Effingham*, Chamberlain of the Houſhold.
Henry Nevile, Lord *Bergavenny*,
John Touchet, Lord *Audley*,
Henry Stanley, Lord *Grange*, eldeſt Son to the Earl of *Derby*,
Henry Parker, Lord *Morley*,
William Brooke, Lord *Cobham*,
George Lord *Talbot*,
Henry Lord *Stafford*,
William Lord *Grey* of *Wilton*,
Henry Lord *Haſtings*,
Henry Lord *Scroop*, of *Bolton*,
Edmund Lord *Sutton*, of *Dudley*,
James Blount, Lord *Mountjoy*,
Arthur Lord *Darcie*, of *Darcie*,
John Lord *Lumley*, of *Lumley*,
Thomas Stanley, Lord *Montegle*,
William Lord *Burghe*,
John Paulet, Lord *St. John*, of *Baſing*, eldeſt Son to the Marquis of *Wincheſter*,
William Lord *Willoughby*, of *Parham*,
John Lord *Sheffield*,
John Lord *Darcie*, of *Chiche*,
Edmund Brugges, Lord *Chandos*,
Edward Lord *Haſtings*, of *Loughborough*,
Henry Carey, Lord *Hunſdon*,
Oliver Lord *St. John*, of *Bletſoe*.

On *Wedneſday* the 25th of *January* the Queen was preſent in the Houſe of Lords; but there is nothing entered in the *Journals* but the Introduction of the Lord Viſcount *Howard*, and the Lords *Haſtings*, *Darcey*, *Hunſdon*, and *St. John* of *Bletſoe*, by the Queen's Writs, to take their Seats in that Houſe. It is remarkable that the Abbot of *Weſtminſter* ſat there in this Parliament, but never after. But though the *Journals* are ſilent in the Speeches, and fuller Proceedings at the Beginning of

of this Parliament, they are amply supplied by a careful Collector of those Matters and other Parliamentary Proceedings, throughout the whole Course of this Reign. This was Sir *Simmonds D'Ewes*, Knt. and Bart. whose Authority, as it is unquestionable, we shall quote from with the same Assurance as the *Journals* of both Houses, when they are deficient in any material Circumstances [a]. And the Lord-Keeper's Speech at the Opening of this Parliament, being omitted in the *Journals*, we give it from the Collection aforesaid as follows: Q. *Elizabeth.* 1558.

My Lords and Masters all,

The Lord-Keeper *Bacon*'s Speech at opening the Parliament.

'THE Queen's most excellent Majesty, our natural and most gracious Sovereign Lady, having, as you know, summoned hither her High Court of Parliament, hath commanded me to open and declare the chief Causes and Considerations that moved her Highness thereunto. And here, my Lords, I wish (not without great Cause) there were in me Ability to do it in such Order and Sort as is beseeming for her Majesty's Honour, and the Understanding of this Presence, and as the great Weightiness and Worthiness of the Matter doth require it to be done. The Remembrance whereof, and the Number of my Imperfections to the well-performing of it, doth indeed (plainly to speak) breed in me such Fear and Dread, that as from a Man abashed, and well nigh astonied, you are to hear all that I shall say therein. True it is, that some Comfort and Encouragement I take, through the Hope I have conceived, by that I have seen and heard of your gentle Sufferance by others, whereof I look upon equal Cause equally with others to be Partaker; and the rather, for that I am sure Good-will shall not Want in me to do my uttermost; and also, because I mean to occupy as small a Time as the Greatness of such a Cause will suffer; thinking that

[a] The *Journals* of all Queen *Elizabeth*'s Parliaments, by Sir *Simmonds D'Ewes*. Published by *Paul Ewes*, Esq; Fol. *London*, 1682.

Q. *Elizabeth.* 1558.

‘ that to be the meeteſt Medicine to cure your te-
‘ dious Hearing, and mine imperfect and diſordered
‘ Speaking, ſummarily to ſay, the immediate Cauſe
‘ of this Summons and Aſſembly, be Conſultations,
‘ Advice, and Contentation: For although divers
‘ Things that are to be done here in Parliament,
‘ might, by Means, be reformed without Parliament,
‘ yet the Queen's Majeſty ſeeking, in her Conſulta-
‘ tion of Importance, Contentation by Aſſent, and
‘ Surety by Advice; and therein repoſing herſelf
‘ not a little in your Fidelities, Wiſdoms, and Diſ-
‘ cretions, meaneth not at this Time to make any
‘ Reſolutions in any Matter of Weight, before it
‘ ſhall be by you ſufficiently and fully debated, ex-
‘ amined, and conſidered. Now the Matters and
‘ Cauſes whereupon you are to conſult, are chiefly
‘ and principally three Points. Of thoſe the *firſt*
‘ is, Of well making of Laws, for the according and
‘ uniting of theſe People of the Realm into an uni-
‘ form Order of Religion, to the Honour and Glory
‘ of God, the eſtabliſhing of the Church, and Tran-
‘ quillity of the Realm. The *ſecond*, For the re-
‘ forming and removing of all Enormities and Miſ-
‘ chiefs that might hurt or hinder the Civil Orders
‘ and Policies of this Realm. The *third*, and *laſt*,
‘ is, Adviſedly and deeply to weigh and conſider the
‘ Eſtate and Condition of this Realm, and the Loſſes
‘ and Decays that have happened of late to the Im-
‘ perial Crown thereof; and therefore to adviſe the
‘ beſt Remedies to ſupply and relieve the ſame. For
‘ the *firſt*; The Queen's Majeſty, having God before
‘ her Eyes, and being neither unmindful of Pre-
‘ cepts and divine Counſels, meaneth and intendeth,
‘ in this Conference, firſt and chiefly there ſhould
‘ be ſought the Advancement of God's Honour and
‘ Glory, as the ſure and infallible Foundation
‘ whereupon the Policies of every good Common-
‘ wealth are to be erected and knit; and as the
‘ ſtraight Line whereby it is wholly to be directed
‘ and governed; and as the chief Pillar and But-
‘ treſs wherewith it is continually to be ſuſtained and
‘ maintained. And like as the well and perfect

doing

'doing of this cannot but make good Succeſs in all the reſt, ſo the remiſs and looſe dealing in this cannot but make the reſt full of Imperfections and Doubtfulneſs; which muſt needs bring with them continual Change and Alteration; Things much to be eſchewed in all good Governances, and moſt of all in Matters of Faith and Religion; which of their Natures be, and ought to be, moſt ſtable. Q. Elizabeth. 1558.

'Wherefore her Highneſs willeth, and moſt earneſtly requireth, you all, firſt and principally, for the Duty you bear unto God, whoſe Cauſe this is; and then for the Service you owe to her Majeſty, and your Country, whoſe Weal it concerneth univerſally; and for the Love you ought to bear to yourſelves, whom it toucheth one by one particularly; that, in this Conſultation, you, with all Humbleneſs, Singleneſs, and Pureneſs of Mind, confirm yourſelves together, uſing your whole Endeavour and Diligence, by Laws and Ordinance, to eſtabliſh that which, by your Learning and Wiſdom, ſhall be thought moſt meet for the well performing of this godly Purpoſe: And this without Reſpect of Honour, Rule or Sovereignty, Profit, Pleaſure or Eaſe, or of any Thing that might touch any Perſon in Eſtimation or Opinion of Wit, Learning, or Knowledge; and without all Regard of other Manner of Affection. And therewith, that you will alſo in this your Aſſembly and Conference clearly forbear, and, as a great Enemy to good Council, fly from all Manner of Contentions, Reaſonings, and Diſputations, and all ſophiſtical, captious, and frivolous Arguments and Quiddities, meeter for Oſtentation of Wit, than Conſultation of weighty Matters; comelier for Scholars than Counſellors; more beſeeming for Schools, than for Parliament-Houſes; beſides, that commonly they be great Cauſes of much Expence of Time, and breed few good Reſolutions. And like as in Council, all Contention ſhould be eſchewed, even ſo, by Council, Proviſion ſhould be made, that no Contentions, con-

Q. *Elizabeth.* 1558.

'contumelious nor opprobrious Words, as Here-
'tic, Schismatic, Papist, and such like Names,
'being Nurses of such seditious Factions and Sects,
'be used; but may be banished out of Men's
'Mouths, as the Causers, Continuers, and En-
'creasers of Displeasure, Hate, and Malice; and as
'utter Enemies to all Concord and Unity, the very
'Marks that you are now come to shoot at.

'Again, as in Proceedings herein, great and wa-
'ry Consideration is to be had, that nothing be ad-
'vised or done, which any way, in Continuance of
'Time, were likely to breed or nourish any Kind
'of Idolatry or Superstition: So, on the other Side,
'Heed is to be taken that, by no licentious or loose
'Handling, any Manner of Occasion be given,
'whereby any Contempt, or irreverent Behaviour
'towards God and godly Things, or any Spice of
'Irreligion might creep in, or be conceived: The
'Examples of fearful Punishments that have fol-
'lowed these four Extremities; I mean, Idolatry,
'Superstition, Contempt, and Irreligion, in all Ages
'and Times, are more in Number than I can de-
'clare, and better known than I can make Recital
'to you of. And yet are they not so many, or
'better known than by the continual budding Be-
'nefits and Blessings of God to those that have for-
'saken those Extremities, and embraced their Con-
'traries. And for your better encouraging to run
'this right and straight Course, altho' that which is
'said ought to suffice thereto, I think I may affirm,
'that the good King *Hezekiah* had no greater De-
'sire to amend what was amiss in his Time, nor
'the noble Queen *Hester* a better Heart to over-
'throw the mighty Enemies to God's Elect, than
'our Sovereign Lady and Mistress hath to do that
'may be just and acceptable in God's Sight. Thus
'forced to this by our Duties to God, feared thereto
'by his Punishments, provoked by his Benefits,
'drawn by your Love to your Country and your-
'selves, encouraged by so Princely a Patroness, let
'us, in God's Name, go about this Work, endea-
'vouring ourselves with all Diligence (as I have be-
'fore

'fore ſaid) to make ſuch Laws as may tend to the Q. *Elizabeth.*
'Honour and Glory of God, to the Eſtabliſhment 1558.
'of his Church, and to the Tranquillity of the
'Realm.

'For the *ſecond*; There is to be conſidered what
'Things, by private Men deviſed, be practiſed and
'put in Uſe in this Realm, contrary or hurtful to
'the Commonwealth of the ſame, for which no
'Laws be yet provided; and whether the Laws,
'before this Time made, be ſufficient to redreſs the
'Enormities they were meant to remove; and
'whether any Laws made but for a Time, be meet
'to be continued for ever, or for a Seaſon. Beſides,
'whether any Laws be too ſevere or too ſharp, or
'too ſoft and too gentle: To be ſhort; you are to
'conſider all other Imperfections of Laws made,
'and all Wants of Laws to be made, and there-
'upon to provide the meeteſt Remedies; reſpecting
'the Nature and Quality of the Diſorder and Of-
'fence, the Inclination and Diſpoſition of the
'People, and of the Manner of the Time.

'For the *third* and *laſt* (a marvellous Matter);
'I cannot ſee how a good true *Engliſhman* can en-
'ter into the Conſideration of it, but it muſt breed
'in his Breaſt two contrary Effects; Comfort, I
'mean, and Diſcomfort, Joy and Sadneſs: For,
'on the one Part, how can a Man, calling to his
'Remembrance that God of his Divine Power and
'Ordinance, hath brought the Imperial Crown of
'this Realm to a Princeſs, that ſo nobly, diligently,
'willingly, and carefully doth, by the Advice of all
'the Eſtates of the Realm, ſeek all the Ways and
'Means that may be, to reform all Diſorders and
'Things that be amiſs; to continue and make firm
'that that is good; to detect and diſcourage thoſe
'that be diſhoneſt and evil; to execute Juſtice in
'all Points to all Perſons, and at all Times, with-
'out Rigour and Extremity; and to uſe Clemency
'without Indulgence and fond Pity.

'A Princeſs, I ſay, that is not, nor ever meaneth
'to be, ſo wedded to her own Will and Fantaſie,
'that, for the Satisfaction thereof, ſhe would do any

'Thing

Q. *Elizabeth.* 1558.

'Thing that was likely to bring any Servitude or 'Bondage to her People; or give any just Occasion 'to them of any inward Grudge, whereby any 'Tumult or Stirs might arise, as hath done of late 'Days, Things most pernicious and pestilent to 'the Commonwealth; a Princess, that never 'meaneth or intendeth, for any private Affection, 'to advance the Cause or Quarrel with any foreign 'Prince or Potentate, to the Destruction of her 'Subjects, to the Loss of any of her Dominions, or 'to the Impoverishing of her Realm; a Princess, to 'whom nothing, What nothing? no, no wordly 'Thing under the Sun is so dear, as the hearty Love 'and Good-Will of her Nobles and Subjects; and 'to whom nothing is so odible, as that they might 'cause or by any Means procure the Contrary.

'How can (I say) a Man remember this wonder-'ful Benefit, but of Necessity he must needs hear-'tily rejoice, and give God Thanks for the same? 'But, my Lords, the handling of the princely 'Virtues of this noble Princess, the Cause of our 'Rejoicing, of purpose I pretermit, partly, because 'I ever supposed it not altogether meet for this 'Presence; but, chiefly, for that it requireth a per-'fect and excellent Orator, in whom both Art and 'Nature concurs, and not to me, a Man in whom 'both fail. Marry, I wish in my Heart, an apt 'Person might oft have meet Presence, and just 'Occasion, to handle this Matter as the Weighti-'ness of the Cause requireth: But, as the Causes 'of our Rejoicing for such Respects be (Thanks be 'to God) both many and great; so for the Causes 'of our Sadness and Discomfort, they be neither 'few nor little.

'But here upon great Cause, as a Man perplexed 'and amazed, I stay, not knowing what is best to 'be done; very loth I am to utter that which is 'much unpleasant for me to speak, and as uncom-'fortable for you to hear: But, because Sores and 'Wounds be hardly cured, except they be well 'opened and searched, therefore, constrained of Ne-'cessity, I see I must trouble you with these sad

'Matters.

'Matters. What Man, that either loveth his So- Q. *Elizabeth.*
'vereign, his Country, or himſelf; that thinketh of, 1558.
'and weigheth the great Decays and Loſſes of Ho-
'nour, Strength, and Treaſure; yea, and the Peril
'that hath happened to this Imperial Crown of late
'Time, but muſt inwardly and earneſtly bewail
'the ſame? Could there have happened to this
'Imperial Crown a greater Loſs in Honour,
'Strength, and Treaſure, than to loſe that Place, I
'mean *Calais*, which was, in the Beginning, ſo
'nobly won, and hath ſo long Time, ſo honourably
'and politely, in all Ages and Times, and againſt
'all Attempts, both foreign and near, both of For-
'ces and Treaſons, been defended and kept? Did
'not the keeping of this breed Fear to our greateſt
'Enemies, and made our faint Friends the more
'aſſured, and lother to break? Yea, hath not the
'winning and keeping of this bred throughout *Eu-*
'*rope* an honourable Opinion and Report of our
'*Engliſh* Nation?

'Again, what one Thing ſo much preſerved and
'guarded our Merchants, their Traffick and Inter-
'courſes, or hath been ſo great a Help for the well
'uttering of our chief Commodities; or what, ſo
'much as this, hath kept a great Part of our Sea-
'Coaſts from Spoiling and Robbing? To be
'ſhort, the Loſs of this is much greater than I am
'able to utter, and as yet, as I ſuppoſe, is able to be
'underſtood by any: And yet, my Lords, if this
'were the whole Loſs, then might Men have ſome
'Hope in Time to come to recover that, that in
'Time hath been thus ſuddenly and ſtrangely loſt:
'But, when a Man looketh further, and conſidereth
'the marvellous Decays and Waſtes of the Reve-
'nues of the Crown; the meſtimable Conſumption
'of the Treaſure, levied both of the Crown and
'of the Subject; the exceeding Loſs of Munition
'and Artillery; the great Loſs of divers valiant
'Gentlemen of very good Service; the incredible
'Sums of Monies owing at this preſent, and in Ho-
'nour due to be paid, and the biting Intereſt that is
'to be anſwered for the Forbearance of this Debt;

Q. *Elizabeth* 1558.

'therewith remembering the Strength and Mighti-
'neſs of the Enemy, and his Confederates, and how
'ready he is upon every Occaſion, upon every Side,
'and in every Time, to annoy you; and how the
'Time moſt meet for that Purpoſe draweth on at
'Hand. Again, if a Man conſider the huge and moſt
'wonderful Charge, newly grown to the Crown,
'more than ever hath heretofore been wont, and
'now of Neceſſity to be continued; as, firſt, the
'Maintenance of Garriſons in certain Places on the
'Sea-Coaſts, as *Portſmouth*, with new Munition
'and Artillery, beſides the new increaſed Charge for
'the continual Maintenance of the *Engliſh* Navy to
'be ever in Readineſs againſt all evil Happs; the
'ſtrongeſt Wall and Defence that can be againſt the
'Enemies of this Iſland; and further alſo, the new
'Augmentation or Charge, for the Maintenance of
'a Garriſon at *Berwick*, and the Frontiers North-
'ward. Indeed, I muſt confeſs that in thoſe Mat-
'ters mine Underſtanding is but ſmall, and mine
'Experience and Time to learn leſs; but, in my
'Opinion, this doth exceed the antient yearly Re-
'venue of the Crown. Beſides, that double ſo
'much is of Neceſſity to be preſently ſpent, about
'the fortifying of thoſe Places in Buildings. When,
'I ſay, a Man remembereth and conſidereth thoſe
'Things, it maketh him ſo far from Hope of Re-
'covery of that that is loſt, without ſome Aid or
'Contribution of the Subject, that he will judge all
'to be little enough to make and prepare good De-
'fence for that that is left.

'Here perchance a Queſtion would be aſked,
'(and yet I do marvel to hear a Queſtion made of
'ſo plain a Matter) What ſhould be the Cauſe of
'this? If it were aſked, thus I mean to anſwer;
'That I think no Man ſo blind but ſeeth it, no Man
'ſo deaf but heareth it, nor no Man ſo ignorant
'but underſtandeth it. Marry, withall, I think
'there is no Man ſo hard-hearted in thinking of it,
'but for the reſtoring of it would adventure Lands,
'Limbs, yea the Life. But now to the Remedies,
'wherein only this I have to ſay, that as the

well

' well looking to the whole universally is the only ' sure Preservation of every one particularly, so ' seemeth it of all Congruence and Reason meet, ' that every one particularly, by all Ways and ' Means, readily and gladly, according to his ' Power, shall concur and join to relieve and assist ' the whole universally. Neither can I see, Things ' standing as they do, how any that loveth his ' Country, or hath Wit to foresee his own Surety, ' can be withdrawn from this. Is there any, think ' you, so mad, that, having a Range of Houses in ' Peril of Fire, would not gladly pluck down Part, ' to have the rest preserved and saved? Doth not ' the wise Merchant, in every Adventure of Dan- ' ger, give Part to have the rest assured? These ' Causes well compared, small Difference shall be ' found. And for this, (a strange Matter and scarce ' credible) with how deaf an Ear, and how hardly ' the Queen's Majesty may endure to hear of any ' Device that may be burthenous to her Subjects, I ' partly do understand, and divers others partly per- ' ceive. Is not the Cause marvellous and pitiful, ' that the Necessity and Need of this ragged and ' torn State by Misgovernance, should, by Force, ' so bridle and restrain the noble Nature of such a ' Princess, that she is not able to shew such Libera- ' lity and Bountifulness to her Servants and Sub- ' jects, as her Heart and Inclination disposeth her ' Highness unto? What a Grief and Torment ' this is to a noble Mind! What a Grief? Surely ' such a Grief, as, but to a noble Mind who feels, ' it cannot be understood. But for the more plain ' Declaration of her Highness's Disposition in this ' Matter, her Highness hath commanded me to say ' unto you, even from my own Mouth, That were ' it not for the Preservation of yourselves, and the ' Surety of the State, her Highness would sooner ' have adventured her Life, (which our Lord long ' preserve) than she would have adventured to trou- ' ble her loving Subjects with any offensive Matter, ' or that should be burthenous or displeasant unto ' them; and for the further notifying of her High- Q. *Elizabeth.* 1558.

Q. *Elizabeth.* 1558.

'ness's Mind herein, she hath commanded me to 'say unto you, That albeit you yourselves see that 'this is no Matter of Will, no Matter of Dis-'pleasure, no private Cause of her own, which, in 'Times past, have been sufficient for Princes Pre-'tences, (the more Pity!) but a Matter for the 'universal Weal of this Realm, the Defence of our 'Country, the Preservation of every Man, his 'Wife and Family particularly; yet her Majesty's 'Will and Pleasure is, That nothing shall be de-'manded or required of her loving Subjects, but 'that which they, of their own free Wills and Li-'beralities, be well contented, readily and gladly, 'frankly and freely, to offer; so great is the Trust 'that she reposeth in them, and the Love and Af-'fection that her Highness beareth towards them, 'nothing at all doubting, but that they will so lo-'vingly, carefully, and prudently, consider and 'weigh this great and weighty Matter, that such 'Provision out of Hand be taken therein, as her 'Highness shall be preserved in all Honour and 'Royal Dignity, and you, and the rest of her loving 'Subjects, in common Quiet and Surety.

'Now to make an End: The Queen's Majesty's 'Pleasure is, That you, her well-beloved and trusty 'Knights of her Shires, and Burgesses, according to 'your laudable Custom, shall repair to your Com-'mon House, and there deliberately and advisedly 'elect, or rather, amongst so many already elect 'Persons, select one, both grave and discreet, who, 'after he be by you presented, and that Presentation 'by her Highness admitted, shall then occupy the 'Office and Room of your Common Mouth and 'Speaker; and of your Day of Presentation the 'Queen's Majesty will give you Notice.'

Sir THOMAS GARGRAVE, Speaker.

The same Authority hath given us the Ceremonial Speeches made when the Commons presented Sir *Thomas Gargrave*, Knt. as their Speaker; which we shall omit, as little different from what hath preceded in this History, or even what is used at this Day.

On

On *Saturday* the 28th of *January*, the Queen being again preſent, there is nothing entered on the *Journals*; but on *Monday*, *Jan.* 30, a Bill was brought into the Lords' Houſe, and read a firſt Time, for the Reſtitution and Annexation of the First-Fruits and Tenths to the Queen's Majeſty and Imperial Crown of this Realm. It was read a ſecond Time the next Day; and, on *February* 4, it paſſed that Houſe, with the Addition of reſerved Rents, *Nomine Decimarum*, and Parſonages impropriate; the Archbiſhop of *York*, the Biſhops of *London*, *Winchester*, *Worceſter*, *Landaff*, *Coventry*, *Exeter*, *Cheſter*, and *Carliſle*, diſſenting. The Temporal Lords all voted for the Bill; which, as an Author obſerves, is ſomewhat ſtrange, conſidering that they were almoſt all the ſame Members who made the Act for returning theſe Things to the Church in the laſt Reign [b].

Q. *Elizabeth.* 1558.

Act for reſtoring the First-Fruits, &c. to the Crown.

Feb. 9. Was read, for the third Time, a Bill for the Recognition of the Queen's Majeſty's Title to the Imperial Crown of this Realm, which was, *Nem. Con.* aſſented to, and committed to the Queen's Sollicitor and the Clerk of the Crown to carry to the Lower Houſe. On the ſame Day was read a Bill, wherein certain Offences are declar'd Treaſon; and another Bill againſt ſcandalous and ſeditious Words.

Another for Recognition of the Queen's Title;

Mr. *Camden* has placed the Act of Recognition the firſt that paſſed the Houſe [c]: The *Journals* give it otherwiſe; however, the Act declared, 'That 'Queen *Elizabeth* was, and ought to be, as well by 'the Law of God, as by the Common and Statute 'Laws of the Realm, the lawful, undoubted and true 'Heir to the Crown, lawfully deſcended from the 'Blood-Royal, according to the Order of Succeſ-'ſion ſettled in Parliament the 35th of *Henry* VIII.'

The aforeſaid Biographer obſerves on this Occaſion, 'That as her Father's Act, which related to the Excluſion of her and her Siſter, remained ſtill un-

[b] *Collier's Eccleſ. Hiſt.*

[c] *Camden's* Life and Reign of Queen *Elizabeth* in *Kennet's* Hiſtory of *England*, Vol. II. p. 371.

Q. *Elizabeth.* 1558.

unrepealed, this was looked upon, in ſome Men's Opinions, as a great Flaw in *Bacon*'s Politics, whom the Queen relied on as the very Oracle of the Law, in Caſes of this Nature; and, the rather, becauſe *Northumberland* had uſed it as an Argument both againſt this Queen and *Mary*; for which Reaſon *Mary* had got the Act repealed as far as related to herſelf. He adds, That from hence *Elizabeth* might be termed an Uſurper, tho' it be a ſtanding Maxim of the Law of *England*, *That the Crown takes away all Defects*. Another Sort of Men there was, who thought this a very wiſe Scheme in the Miniſter; who, conſidering the Perplexity and Uncertainty of Parliamentary Laws and Statutes, and that the very ſame Things which ſeemed to favour the Intereſt of Queen *Elizabeth*, laid a Stain on the Cauſe and Credit of her Siſter, was therefore very ſhy in rubbing an old Sore, which Time had now pretty well healed; therefore he choſe rather to plant the Succeſſion on that Act of the 35th of *Henry* VIII. which ſeemed to bear an equal and fair Regard to the Right and Reputation of both the Siſters [d].'

And for reſtoring the Supremacy.

But the Act which met with the greateſt Oppoſition this Parliament, is intituled, *An Act for reſtoring the Supremacy to the Imperial Crown of this Realm; and repealing divers Acts made to the contrary.*

Before the Houſe of Commons entered upon this Bill, they had a very material Circumſtance to ſettle.

Jan. 30. A Committee of twenty-four Members were appointed to meet and treat of a convenient Subſidy [e]. At the ſame Time it was recommended to them to conſider of the Validity of the Summons, both to the laſt and alſo to this preſent Parliament, in which ſaid Writ, the Words *Supremum Caput Eccleſiæ* were omitted. *Feb.* 3, Mr. *Carrel* reported from the ſaid Committee, That it was agreed by them, 'That the Want of the 'ſaid

[d] *Statutes at large*, Anno 1 *Eliz.* cap. i.
[e] *Dewes's Journals*, p. 44.

'said Words did not at all hinder or impeach the 'Validity of the said Writs of Summons to the 'preceding Parliaments, or this now assembled.' After clearing this Point, which was agreed to by the whole House, the Bill itself met with no Opposition that we can find in their *Journal*: 'That House, according to *Camden*, being now composed of more Protestants than Papists; tho' the latter did not stick to say that Secretary *Cecil* had played an under-hand Game in the Elections; and that several Knights of Shires, and Burgesses for Cities and Corporations, had been returned for this very Purpose:' But Q. *Elizabeth*. 1558.

The Martyrologist informs us of one Member, in the House of Commons, who boldly opposed this Bill; this was Dr. *John Story*, a Civilian; who, according to that Author's modest Way of Expression, made an impudent and shameless Speech against it[f]; telling the House, 'That as he was 'noted commonly abroad, or much complained of 'at home, as a great Stickler and Actor in the 'late religious Proceedings under Queen *Mary*, 'he did not deny it, but protested he had, therein, 'done nothing but according to his Conscience, and 'the Commission he bore from her late Majesty, 'whose Commands would discharge him from 'Blame; and that he was no less ready to do it 'again, provided he was so authorized and com-'manded by her present Majesty. Wherefore, says 'he, I see nothing to be ashamed of, and less to be 'sorry for, on that Account; and am rather sorry 'that no more was done, and those Laws were not 'executed with more Severity. And herein he 'added, there was no Fault in him, but in them 'whom he had so oft and so earnestly exhorted to 'it; being not a little grieved that they went to 'Work only with the little Sprigs and Branches, 'when they should have struck at the Root and 'thoroughly grubbed it up.' Our Author goes on and tell us, 'That he mentioned Sir *Philip Hobby*, 'and

[f] *Foxe's Martyrs*, Vol. II. p. 1925. *Hollingshead's Chronicle*, p. 1180.

Q. *Elizabeth.* 1558.

'and another Knight in *Kent*, whom he said ought 'to have been sacrificed as well as some others of 'Rank and Riches, if they had taken his Advice 'and done wisely: That he himself was once at 'the Burning of an Heretic, and toss a Faggot at 'his Face, as he was singing Psalms, and put a 'Bunch of Thorns under his Feet;' with other Expressions of this Nature, not likely to come from the Mouth of any Man of common Sense, in such an Assembly. However, the same Authority and others inform us, that *Story* paid dear for his Speech-making some Time after; for, being committed to Prison, he made his Escape and joined with the famous Duke *D'Alva* at *Antwerp*; but, being trepanned on board an *English* Ship, he was brought back, and suffered the Death of a Traitor. Nor does *Foxe* leave him at the Gallows; for, to shew the Violence of his Spirit at the last, he tells us, That he was cut down alive from the Gallows, and when the Executioner cut off his Privy Members to burn, *Story* rose up and hit him a Blow on the Face, to the Wonder of all the Spectators [s].

Feb. 18. The said Bill, with certain Provisoes added thereto by the Lords, and sundry other Amendments, was concluded in that House. The Archbishop of *York*, the Earl of *Shrewsbury*, the Viscount *Montague*, the Bishops of *London*, *Winchester*, *Worcester*, *Landaff*, *Coventry*, *Exeter*, *Chester*, *Carlisle*, and the Abbot of *Westminster*, dissenting. It was sent down to the Commons, who kept it till *March* 22, and then returned it to the Lords, with a new Proviso added by them. This was read thrice the same Day, and concluded; the former Archbishop and Bishops dissenting.

This Bill having been canvassed near a Month since it was first sent up by the Commons, must argue strong Debates and great Opposition to it. Mr. *Camden* informs us, That the nine Prelates beforementioned opposed it vigorously, but has left us none

[s] *Martyrs*, Vol. II, p. 1949.

none of their Arguments used against it [i]. But a much later painful Collector of Ecclesiastical Memoirs, relating to our *Reformation*, hath given us two Speeches, delivered in the House of Lords, against this Bill of Supremacy [k]. The Orators on this Occasion, were *Nicholas Heath*, Archbishop of *York*, and *Cuthbert Scott*, Bishop of *Chester*; whose Speeches, tho' long enough, must have a Place in this History; the Impartiality of which will not admit of any Abridgment. And first, the Archbishop. Q. *Elizabeth.* 1558.

My Lords all,

'WITH humble Submission of my whole Talk unto your Honours, I purpose to speak to the Body of this Act, touching the Supremacy: And that the Doings of this honourable Assembly may therein be always further honourable, two Things are right needful and necessary of your Wisdoms to be considered. *First*, When, by the Virtue of this Act of Supremacy, we must forsake and flee from the See of *Rome*, it would be considered by your Wisdoms, what Manner of Danger and Inconvenience, or else whether there be none at all. *Secondly*, When the Intent of this Act is to give unto the Queen's Highness a Supremacy, it would be considered of your Wisdoms what this Supremacy is, and whether it do consist in Spiritual Government or in Temporal. If in Temporal, what further Authority can this House give unto her Highness, than she hath already by Right and Inheritance, and not by your Gift, but by the Appointment of God? She being our Sovereign Lord and Lady, our King and Queen, our Emperor and Empress; other Kings and Princes of Duty ought to pay Tribute unto her, she being free from them all. Abp. *Heath's* Speech against it.

'If

[i] *Heath, York.* *Bayn, Coventry.*
Bonner, London. *Turbervile, Exeter.*
White, Winchester. *Scott, Chester.*
Pate, Worcester. *Oglethorpe, Carlisle.*
Kitchen, Landaff. *Feckenham*, Abbot of *Westminster.*
All of whom, except *Kitchen* of *Landaff*, were afterwards depriv'd for Non-Compliance.

[k] *Strype's Annals*, Vol. I. p. 6. &c. in Appendice.

Q. Elizabeth. 1558.

'If you will say that this Supremacy doth consist 'in Spiritual Government, then it would be consi- 'dered what this Spiritual Government is, and in 'what Points it doth chiefly remain; which being 'first agreed upon, it would be further considered of 'your Wisdoms, whether this House may grant 'them unto her Highness, or not; and whether 'her Highness be an apt Person to receive the same, 'or not. And, by the thorough Examination of 'all these Parts, your Honours shall proceed in this 'Matter grounded upon thorough Knowledge, and 'not be deceived by Ignorance.

'Now, to the *first* Point, wherein I promised to 'examine this forsaking and flying from the See of '*Rome*, what Matter either of Weight, Danger, or 'Inconvenience doth consist therein? And, if by 'by this our relinquishing of the See of *Rome* there 'were none other Matter therein, than a withdraw- 'ing of our Obedience from the Pope's Person, '*Paul* the 4th of that Name, who hath declared 'himself to be a very austere stern Father unto us, 'ever since his first Entrance into *Peter*'s Chair, 'then the Cause were not of such great Importance, 'as it is in very Deed; when, by the relinquishing 'and forsaking of the See of *Rome*, we must forsake 'and fly from these four Things. *First*, We must 'forsake and fly from all general Councils. *Se- 'condly*, We must fly from all Canonical and 'Ecclesiastical Laws of the Church of *Christ*. '*Thirdly*, From the Judgment of all other Christian 'Princes. *Fourthly*, and *lastly*, We must forsake 'and fly from the Unity of *Christ*'s Church, and, by 'leaping out of *Peter*'s Ship, hazard ourselves to 'be overwhelmed and drowned in the Waters of 'Schism, Sects, and Divisions.

'*First*, Touching General Councils; I shall only 'name unto you these Four; *Nicene* Council, *Con- 'stantinopolitan*, *Ephesine*, and *Chalcedon* Council, 'which are approved of all Men, doubted of or de- 'nied of no Man. Of the which four Councils 'St. *Gregory* writeth in this wise, *Sicut enim Sancti 'Evangelii quatuor Libros, sic hæc quatuor Concilia, 'scilicet*

'*scilicet* Nicen. Constantinopolitan. Ephesin. *et* Chalcedonense *suscipere ac venerari me fateor*. At the *Nicene* Council, the first of the Four, the Bishops which were assembled, did write their Epistle to *Sylvester*, then Bishop of *Rome*, That their Decrees made there must be confirmed by his Authority. At the Council kept at *Constantinople*, all the Bishops there were obedient to *Damase*, then Bishop of *Rome*. He, as chief Judge of that Council, did give Sentence against the Heretics, *Macedonians*, *Sabellians*, and *Eunomians*; which *Eunomius* was both an *Arian*, and the first Author of this Heresy, that only Faith doth Justify; and here, by the Way, it is much to be lamented, that we, the Inhabitants of this Realm, are much more inclined to raise up the Errors and Sects of antient and condemned Heretics, than to follow the approved Doctrine of the Most Catholic and Learned Fathers of *Christ*'s Church. At the *Ephesin* Council, *Nestorius*, the Heretic, was condemned by *Celestine*, then Bishop of *Rome*, he being the chief Judge there. At *Chalcedon*, all the Bishops assembled there did write their humble Submission unto *Leo*, then Bishop of *Rome*, wherein they did acknowledge him to be their chief Head. Therefore, to deny the See Apostolic, were to contemn and set at nought the Judgment of these four Councils. Q. *Elizabeth*. 1558.

'*Secondly*, We must forsake and fly from all Canonical and Ecclesiastical Laws of *Christ*'s Church, whereunto we have already confessed our Obedience at the Font, saying, *Credo Sanctam Ecclesiam Catholicam*; which Article containeth, That we must believe not only that there is a Holy Catholic Church, but that we must receive also the Doctrine and Sacraments of the same Church, obey her Laws, and live according unto the same; which Laws do depend wholly upon the Authority of the See Apostolic. And like as it was here openly confessed by the Judges of this Realm, that the Laws made and agreed upon, in the Higher and Lower House of this honourable Parliament,

'be

Q. *Elizabeth.* 1558. ‘ be of ſmall or none Effect, before the real Aſſent ‘ of the King and Prince be given thereto; ſem- ‘ blably Eccleſiaſtical Laws made cannot bind the ‘ Univerſal Church of *Chriſt*, without the real ‘ Aſſent and Confirmation of the See Apoſtolic.

‘ The *third*. We muſt forſake and fly from the ‘ Judgment of all Chriſtian Princes, whether they ‘ be Proteſtants or Catholic, when none of them ‘ do agree with theſe our Doings; King *Henry* ‘ the Eighth being the very firſt that ever took upon ‘ him the Title of Supremacy. And whereas it ‘ was of late here in this Houſe ſaid by an Honour- ‘ able Man, That the Title is, of Right, due unto ‘ the King, for that he is a King; then it would ‘ follow, That *Herod*, being a King, ſhould be ‘ Supreme Head of the Church at *Jeruſalem*, and ‘ *Nero*, the Emperor, Supreme Head of the Church ‘ of *Chriſt* at *Rome*, they both being Infidels, and ‘ thereby no Members of *Chriſt*'s Church. And if ‘ our Saviour *Jeſus Chriſt*, at his Departure from ‘ this World, ſhould have left the Spiritual Govern- ‘ ment of his Church in the Hands of Emperors ‘ and Kings, and not to have committed the ſame ‘ unto his Apoſtles, how negligent then ſhould he ‘ have left his Church, it ſhall appear right well, ‘ by calling to your Remembrance, that the Em- ‘ peror *Conſtantinus Magnus* was the firſt Chriſti- ‘ an Emperor, and reigned about three hundred ‘ Years after the Abſence of *Chriſt*: If therefore, ‘ by your Propoſition, *Conſtantine*, the firſt Chriſtian ‘ Emperor, was the firſt Chief Head and Spiritual ‘ Governor of *Chriſt*'s Church throughout his Em- ‘ pire, then it followeth, how that our Saviour ‘ *Chriſt*, for that whole Time and Space of three ‘ hundred Years, untill the Coming of this *Conſtan- ‘ tine*, left his Church, which he had dearly bought ‘ by the Effuſion of his moſt precious Blood, with- ‘ out a Head; and therefore, how untrue the Say- ‘ ing of this Nobleman was, it ſhall further appear ‘ by the Example of King *Ozias*, and alſo of King ‘ *David*: For when King *Ozias* did take the Cen- ‘ ſer to incenſe the Altar of God, the Prieſt *Azarias*

‘ did

'did resist him, and expel him out of the Temple, 'and said unto him these Words, *Non est Officii tui*, 'Ozia, *ut adoleas Incensam Domino, sed est Sacerdotis* 'et Filiorum Aaron; *ad hujusmodi enim Officium con-* 'secrati sunt. Now, I shall most humbly demand 'of you this Question, When this Priest *Azarias* 'said unto this King *Ozias*, *Non est Officii tui*, &c. 'Whether he said Truth or no? If you answer, 'That he spoke the Truth, then the King *Ozias* was 'not the Supreme Head of the Church of the *Jews*: 'If you shall say, No; Why did God then plague 'the King with a Leprosy, and not the Priest? 'The Priest *Azarias*, in resisting the King, and 'thrusting him out of the Temple, in so doing, 'did he play the faithful Part of a Subject, or no? 'If you answer, No; Why did God then spare 'the Priest, and plague the King? If you answer, 'Yea; then it is most manifest *Ozias*, in that he 'was a King, could not be Supreme Head of the 'Church. And, as touching the Example of King 'David, in bringing Home the Ark of God from 'the *Philistines*, *ad Civitatem* David, What Supre- 'macy and Spiritual Government of God's Ark 'did King *David* there take upon him? Did he 'place himself amongst the Priests, or take upon 'him any Spiritual Function unto the Priests ap- 'pertaining? Did he approach near unto the Ark, 'or yet presume to touch the same; no, doubtless, 'when before he saw *Ozias* stricken by the Hand 'of God for the like Arrogancy and Presumption; 'and therefore King *David*[1] did go from the 'Ark of God with his Harp, making Melody, and 'placed himself amongst the Minstrels; and so 'humbly did abase himself, being a King, as to 'dance, skip, and leap before the Ark of God, like 'as his other Subjects. Insomuch that Queen 'Michall, King *Saul*'s Daughter, beholding and 'seeing the great Humility of King *David*, did 'disdain thereat. Whereunto King *David* said, 'Ludam,

Q. Elizabeth. 1558.

[1] Here the Archbishop forgot that *Ozias* was not before *David*, but many Years after him. *Strype*.

Q. *Elizabeth.* 1558.

'*Ludam, et vilior fiam, pluſquam factus ſum coram* '*Domino meo, qui me elegit potius quam Patrem* '*tuum aut Domum Patris tui.* And whereas 'Queen *Michall* was therefore plagued at the Hand 'of God *perpetua Sterilitate*, King *David* received 'great Praiſe for his Humility.

'Now it may pleaſe your Honours, which of 'both theſe Kings Examples it ſhall be moſt con- 'venient for your Wiſdoms to move our Queen's 'Highneſs to follow; the Example of the proud 'King *Ozias*, and, by your Perſuaſions and Coun- 'ſels, to take upon her Spiritual Government, 'thereby adventuring yourſelves to be plagued at 'God's Hands, as King *Ozias* was; or elſe to fol- 'low the Example of good King *David*, who, in 'Refuſal of all Spiritual Government about the 'Ark of God, did humble himſelf as I have declared 'unto you? Whereunto our Sovereign Lady the 'Queen's Highneſs, of her own Nature very well 'inclined and bent, we may aſſure ourſelves to have 'of her Highneſs as humble, as virtuous, and as 'godly a Miſtreſs to reign over us, as ever had '*Engliſh* People here in this Realm, if that her 'Highneſs be not, by our Flattery and Diſſimula- 'tion, ſeduced and beguiled.

'*Fourthly* and *laſtly*. We muſt forſake and fly 'from the Unity of *Chriſt*'s Church, when St. *Cy-* '*prian*, that holy Martyr, ſaith, *That the Unity of the* '*Church of* Chriſt *doth depend upon the Unity of* 'Peter's *Authority*; therefore, by our leaping out of '*Peter*'s Ship, we muſt needs be overwhelmed with 'the Waters of Schiſm, Sects, and Diviſions: For 'the ſame holy Martyr, St. *Cyprian*, ſaith in his 'third Epiſtle *ad Cornelium*, That all Hereſies, 'Sects, and Schiſms do ſpring only, for that Men 'will not be obedient unto the Head Biſhop of 'God. The *Latin* thereof is, *Neque enim aliunde* '*Hæreſes abortæ ſunt, aut nota ſint Schiſmata, quin* '*inde quod Sacerdoti Dei non obtemperatur.* And 'how true this Saying of *Cyprian* is, it is apparent 'to all Men that liſteth to ſee by the Example of 'the *Germans*, and by the Inhabiters of this Realm.

'And

'And by our forſaking and flying from the Unity of the Church of *Rome*, this Inconveniency, 'amongſt many, muſt conſequently follow thereof, 'That either we muſt grant the Church of *Rome* 'to be the Church of God, or elſe a malignant 'Church. If you anſwer, That it is of God, where '*Jeſus Chriſt* is truly taught, and all his Sacraments 'rightly miniſtered; how then may we diſburden 'ourſelves of our forſaking and flying that Church, 'whom we do confeſs and acknowledge to be of 'God, when with that Church, which is of God, 'we ought to be one, and not to admit any Separation? If you anſwer, That the Churh of *Rome* 'is not of God, but a malignant Church; then it 'will follow, That we, the Inhabitants of this 'Realm, have not as yet received any Benefit of '*Chriſt*, when we have received no other Goſpel, 'no other Doctrine, no other Faith, no other Sacraments, than were ſent us from the Church of '*Rome*. *Firſt*, In King *Lucius*'s Days, at whoſe 'humble Epiſtle the holy Martyr *Elutherius*, then 'Biſhop of *Rome*, did ſend unto this Realm two 'holy Monks, *Faganus* and *Damianus*, by whoſe 'Doctrine we were firſt put to the Knowledge of the 'Faith of *Jeſus Chriſt*, of his Goſpel, and of his 'moſt bleſſed Sacraments. *Secondly*, Holy St. *Gregory*, being Biſhop of *Rome*, did ſend into this 'Realm two other holy Monks, St. *Auguſtin* and '*Mellitus*, to revive the very ſelf-ſame Faith of '*Jeſus Chriſt*, that was before planted in this Realm 'in the Days of King *Lucius*. *Thirdly*, and *laſtly*, '*Paulus Tertius*, being Biſhop of *Rome*, did ſend 'the Lord Cardinal *Pole*'s good Grace, by Birth a 'Nobleman of this Realm, as his Legate, to reſtore us to the ſame Faith that the bleſſed Martyr '*Elutherius* and holy St. *Gregory* had planted here 'in this Realm many Years before. If therefore 'the Church of *Rome* be not of God, but a malignant Church, then we have been deceived all this 'while; when the Goſpel, the Doctrine, Faith, and 'Sacraments muſt be of the ſame Nature that the 'Church is of from whence it came. And there-

Q. *Elizabeth.* 1558.

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Q. *Elizabeth.* 1558.

'fore, in relinquishing and forsaking of that Church 'as a malignant Church, the Inhabitants of this 'Realm shall be forced to seek further for another 'Gospel of *Christ*, other Doctrine, Faith, and Sa-'craments, than we hitherto have received; which 'shall breed such a Schism and Error in Faith, as 'was never in any Christian Realm: And there-'fore of your Wisdoms worthy Consideration, and 'maturely to be provided for, before you pass this 'Act of Supremacy.

'Thus much touching the *first* chief Point. 'Now to the *second* chief Point; wherein I pro-'mised to move your Honours to consider what 'this Supremacy is, which we go about by virtue 'of this Act, to give unto the Queen's Highness, 'and wherein it doth consist; as, whether in Spi-'ritual Government, or in Temporal. If in Spi-'ritual, like as the Words of the Act do import, '*Supreme Head of the Church of* England, *imme-'diate and next under God*; then it would be con-'sidered of your Wisdoms in what Points this Spi-'ritual Government doth consist; and the Points 'being well known, it would be considered, whe-'ther this House have Authority to grant them, 'and her Highness Ability to receive the same.

'And, as touching the Point wherein the Spiri-'tual Government doth consist, I have, in reading 'the Gospel, observed these four, amongst many; 'whereof the first is to loose and bind, when our 'Saviour *Jesus Christ*, in ordaining *Peter* to be 'the Chief Governor of his Church, said unto him, '*Tibi dabo Claves Regni Cœlorum*; *quodcunque li-'gaveris super Terram, erit ligatum & in Cœlis*; '*& quodcunque solveris, erit solutum & in Cœlis*. 'Now it would be considered of your Wisdoms, 'whether you have sufficient Authority to grant 'unto her Highness this first Point of Spiritual Go-'vernment, and to say to her, *Tibi dabimus Claves 'Regni Cœlorum*. If you say, Yea, then we require 'the Sight of your Warrant and Commission by 'the Virtue of God's Word: And if you say, No, 'then you may be well assured, and persuade your-

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'selves, that you have no sufficient Authority to make her Highness Supreme Head of the Church here in this Realm. The second Point of Spiritual Government, is gathered of these Words of our Saviour *Jesus Christ*, spoken unto *Peter* in the 21st Chapter of St. *John*'s Gospel, *Pasce, pasce, pasce.* Now, whether your Honours have Authority, by this High Court of Parliament, to say unto our Sovereign Lady, *Pasce, pasce, pasce*, you must shew your Warrant and Commission. And further, that her Highness, being a Woman, by Birth and Nature is not qualified by God's Word to feed the Flock of *Christ*, it appeareth most plainly by St. *Paul* on this wise, saying, *Taceant Mulieres in Ecclesiis: Non enim permittetur eis loqui, sed subditas esse, sicut dicit Lex:* And it followeth in the same Place, *Quod turpe est Mulieri loqui in Ecclesiis.* And in his first Epistle to *Timothy*, the second Chapter, saith, *Docere autem Mulieri non permitto, neque dominari in Virum, sed in Silentio esse.* Therefore it appeareth, That like as your Honours have not his Authority to give her Highness this second Point of Spiritual Government, to feed the Flock of *Christ*; so, by *Paul*'s Doctrine, her Highness may not intermeddle herself with the same: Therefore she can't be Supreme Head of *Christ*'s Church here in this Realm. The third and chief Point of Spiritual Government, is gathered of the Words of our Saviour *Jesus Christ*, spoken unto *Peter*, *Luke*, Chap. xxii. *Ego rogavi pro te, ut non deficiat Fides tua: Et tua aliquando conversus confirma Fratres tuos.* Whereby it appeareth, that one chief Point of Spiritual Government is to confirm his Brethren, and ratify them both by wholesome Doctrine and Administration of the blessed Sacraments; but to preach or minister the holy Sacraments, a Woman may not; neither may she be Supreme Head of the Church of *Christ*. The fourth and last Point of Spiritual Government, which I promised to observe and note unto you, doth consist in Excommunication, and Spiritual

Q. *Elizabeth.* 1558.

Q. *Elizabeth*, 1558.

'Punishment, of all such as shall approve themselves 'not to be the obedient Children of *Christ*'s Church. 'Of the which Authority our Saviour *Christ* speak-'eth in St. *Matthew*, Chapter xviii. there saying, '*Dic Ecclesiæ. Si autem Ecclesiam non audierit, sit 'tibi tanquam Ethnicus & Publicanus.* And the 'Apostle St. *Paul* did excommunicate the notorious 'Fornicator that was amongst the *Corinthians*, by 'the Authority of his Apostleship. Unto the which 'Apostles, *Christ*, ascending into Heaven, did leave 'the whole Spiritual Government of his Church, as 'it appeareth by the plain Words of *Paul* in his 'Epistle to the *Ephesians*. Chap. iv. *Ipse dedit Ec-'clesiæ suæ quosdam Apostolos, alios Evangelistas, 'alios Pastores & Doctores, in Opus Ministerii, in 'Ædificationem Corporis* Christi. But a Woman, 'in the Degrees of *Christ*'s Church, is not called 'to be an Apostle, nor an Evangelist, nor to be a 'Shepherd, neither a Doctor, or Preacher: There-'fore she cannot be Supreme Head of *Christ*'s Mi-'litant Church, nor yet of any Part thereof.

'Thus much I have here said, Right Honourable 'and my very good Lords, against this Act of Su-'premacy, for the Discharge of my Conscience, 'and for the Love, Dread, and Fear, that I chiefly 'owe unto God and my Sovereign Lady the Queen's 'Highness, and unto your Lordships all; when 'otherwise, and without mature Consideration of 'these Premisses, your Honours shall never be 'able to shew your Faces before your Enemies in 'this Matter; being so rash an Example and Spec-'tacle in *Christ*'s Church, as in this Realm only to 'be found, and in none other. Thus humbly be-'seeching your good Honours to take in good Part 'this rude and plain Speech that I have here used, 'of much good Zeal and Will, I shall now leave 'to trouble your Honours any longer.'

It does not appear at what Time the former Speech was delivered; but it was on the second Reading of the Bill that *Scott*, Bishop of *Chester*, stood up and spoke as follows:

My

My Lord, and my Lords all,

'I Do perceive that this Bill hath now been twice read, and, by the Order of this Houſe, muſt be read the third Time; which Order I think was appointed to be obſerved for this End, That every Man, being a Member of this Houſe, ſhould fully underſtand, and ſo at large ſpeak his Mind and Conſcience in the Contents of all the Bills preferred and read here, before that they be enacted and eſtabliſhed as Laws: Wherefore I conſidering that this Bill hath been now twice read, and hath accordingly been ſpoken unto gravely, wiſely, and learnedly, by divers of this Honourable Company; and that I, for my Part, as yet have ſaid nothing therein, I ſhall moſt humbly deſire your good Lordſhips to give me Leave, and patiently to hear what I have to ſay as concerning this preſent Bill: And yet, to confeſs unto your Lordſhips the Truth, there be two Things that do much move me, and as it were pull me back from ſpeaking any Thing in this Matter. The *firſt* is, That I perceive the Queen's Highneſs, whom I pray God long to preſerve, is as it were a Party therein; unto whom I do acknowledge that I owe Obedience, not only for Wrath and Diſpleaſure's Sake, but for Conſcience Sake, and that by the Scriptures of God. The *ſecond* is, The Reverence I have to thoſe Noblemen, unto whom this Bill was committed to be weighed and conſidered; whoſe Doings I aſſure your good Lordſhips is a great Comfort not only unto me, but alſo, as I do think, unto all that be of the Profeſſion that I am of, with many other beſides. *Firſt*, For that their Devotion towards Almighty God doth appear, ſeeing they will not ſuffer the Service of the Church, and the due Adminiſtration of the holy Sacraments thereof, to be diſannulled, or already altered, but to be contained [retained] as they have been heretofore: And, *ſecondly*, For that their Charity and Pity, towards the poor Clergy of this Realm, doth appear in mitigating the extreme Penalties mentioned in

Q. *Elizabeth.* 1558.

Biſhop *Scott's* Speech againſt reſtoring the Supremacy.

Q. *Elizabeth.* 1558. ‘ this Bill, for the Gainſayers of the Contents of ‘ the ſame.

‘ But there be two other Things of more ‘ Weight, that do move me to ſpeak in this Mat- ‘ ter what I think. The *firſt* is Almighty God, ‘ which I know doth look, that, according to the ‘ Profeſſion whereunto (although I be unworthy) ‘ I am called, I ſhould ſpeak my Mind in ſuch ‘ Matters as this is, when they be called in Que- ‘ ſtion. The *ſecond* is my Conſcience, which ‘ doth urge me to do the ſame.

‘ Wherefore, now to ſpeak of the Matter, this ‘ I ſay, That our Faith and Religion is maintained ‘ and continued by no one Thing ſo much as by ‘ Unity, which Unity is continued and maintained ‘ in *Chriſt*'s Church, even as Concord and good Or- ‘ der is maintained in a Commonwealth. Where- ‘ in, as we ſee for civil Quietneſs, there is appoint- ‘ ed in every Village one Conſtable: And leſt there ‘ ſhould any Variance fall amongſt them, there is ‘ again in every Hundred one Head-Conſtable, in ‘ whom all the other Inferiors be knit as in one. ‘ And where there be in one Shire divers Hundreds, ‘ to make away all Controverſies as might chance ‘ amongſt the ſaid Head-Conſtables of theſe Hun- ‘ dreds, of that they be joined as in one. The She- ‘ riffs likewiſe be joined in one Prince, which Prince ‘ being deprived of his Princely Authority, the Uni- ‘ ty and Concord of that Realm is diſſolved, and ‘ every Man chuſeth himſelf a new Lord. Even ſo ‘ it is in the Church of *Chriſt*, according to the ‘ Commandment of St. *Paul:* There is in every ‘ Village at the leaſt one Prieſt; in every City one ‘ Biſhop, in whom all the Prieſts within the Dio- ‘ ceſe be knit in one; in every Province one Me- ‘ tropolitan, in whom, for the avoiding of Con- ‘ troverſies, all the Biſhops of that Province be ‘ joined; and for Unity to be obſerved amongſt the ‘ Metropolitans, they be likewiſe joined in one ‘ High Biſhop, called the Pope, whoſe Authority ‘ being taken away, the Sheep, as the Scripture ‘ ſaith,

‘ faith, be ſcatter'd abroad: For avoiding whereof ‘ our Saviour *Chriſt*, before his Death, prayed that ‘ we might be all one, as his Father and he be one; ‘ which Thing cannot be, except we have all one ‘ Head: And therefore Almighty God ſaid by the ‘ Prophet *Ezekiel*, *Suſcitabo ſuper eos Paſtorem unum*, ‘ *I will ſtir up over them one Paſtor:* And our Saviour, in the Goſpel, likewiſe ſaith, There ſhall ‘ be one Paſtor and one Sheep-Fold. Which Sentences, peradventure, ſome Men will ſay to be ‘ applied only to our Saviour *Chriſt*, which, in very ‘ Deed, I muſt needs grant to be ſo; yet this I ‘ may ſay, theſe Places be applied to him only, as ‘ other like Places of Scripture be; for it is ſaid in ‘ the Scripture that only God is immortal; and, ‘ by Participation with him, all we that be true ‘ Chriſtian Men be made immortal: Only God ‘ forgiveth Sin, and yet, by Commiſſion from him, ‘ Prieſts have Authority to forgive Sin. He is only ‘ King, and by Commiſſion maketh Kings; and ‘ likewiſe he is only Prieſt after the Order of *Melchiſedec*, and by Commiſſion maketh Prieſts: He ‘ of himſelf, and by none other; all the reſt by him, ‘ and not of themſelves. So he is our only Paſtor, ‘ and by Commiſſion hath made other Paſtors, and ‘ eſpecially one to be Vicar-General on Earth, to ‘ govern and rule all his whole Flock in Unity and ‘ Concord, and in avoiding of Schiſms and Diviſions. And likewiſe as he ſent one Holy Ghoſt ‘ to rule and govern his People inwardly, ſo he appointed one Governor to rule and lead them outwardly. Q. *Elizabeth.* 1558.

‘ Which one Head-Governor cannot be applied ‘ to any Temporal Prince; for then either we muſt ‘ needs grant that the Church of *Chriſt* was not ‘ perfect, but rather a mank Body without a Head, ‘ by the Space of 300 Years and more, (for ſo long ‘ was it after the Death of our Saviour *Chriſt* be‘ fore there was one Chriſtian Prince in all the ‘ World) or elſe *Chriſt* appointed an Infidel, being ‘ no Member of his Church, to be Head thereof; ‘ which both be Abſurdities. Again, that *Chriſt*

Q. *Elizabeth.* 1558.

'appointed no Temporal Prince to be Head of his 'Church it appeareth, by that we see in divers 'Kingdoms there be divers and sundry Princes and 'Rulers; so that there should by that Means be 'many Heads of one Body, the which were a mon-'strous Thing. *Thirdly*, That he appointed no 'Temporal Prince to be Head of the Church, it ap-'peareth by the Word itself spoken by our Sa-'viour *Christ*, *Pasce*, *Feed*, which he spoke not to '*Herod*, *Pilat*, nor yet to *Tiberius* the Emperor; 'but he spoke them unto *Peter*, saying, *Pasce oves* '*meas*. And where peradventure some Men will 'cavil and argue of the *Greek* Word spoken by our 'Saviour *Christ* in that Place, which doth signify 'not only to feed, but also to rule and govern; I 'answer, That I do not know where that Word 'is applied unto any Temporal Ruler in the New 'Testament; and if it so were, yet it doth not 'prove their Intent; for other manifest and plain 'Places of Scripture do exclude them from such 'Authority, notwithstanding that the same Scrip-'ture doth give them very great Authority, com-'manding us to obey the same; declaring withall, 'that they bear the Sword not in vain, nor without 'Cause. But now mark this Word *Sword*, which 'Princes had before the Coming of our Saviour '*Christ*; and that he did give them any further 'Authority we read not, but left them as he found 'them; and as he did give them no spiritual Au-'thority, so I do not see that he did take any tem-'poral Rule from them: Wherefore he com-'manded *Peter* to put up his Sword, because he 'had given him other Instruments to use, wherein 'was included his Authority; that is to say, the 'Keys of the Kingdom of Heaven, saying, *Tibi* '*dabo Claves Regni Cœlorum*. In these Keys, and 'in exercising of the same, consisteth all Authority 'Ecclesiastical given by God unto any Man; unto 'whom he hath not by Scripture given these Keys, 'they have no Right to it. Wherefore it fol-'loweth that no Temporal Prince hath any Au-'thority in or over the Church of *Christ*, seeing

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'that the Keys were never given unto any of 'them. Q. *Elizabeth.* 1558.

'And here I know it will be objected againſt me, 'That as this Place doth make againſt the Supre- 'macy of Princes, ſo doth it not make for the Pri- 'macy of St. *Peter*; for St. *John* doth witneſs, in 'the 20th Chapter of his Goſpel, that our Saviour 'Chriſt did give the Keys not only to *Peter*, but 'alſo unto all his Apoſtles, when he did breathe 'upon them, ſaying *Accipite Spiritum Sanctum: 'Take ye the Holy Ghoſt; whoſe Sins ye forgive be 'forgiven to them, and whoſe Sins ye retain are 'retained.* And divers of the antient Writers do 'likewiſe ſay that the Keys were given unto all 'the Apoſtles. But yet, in one Place or other, 'the ſame Authors do declare that they were given 'unto *Peter* principally; as *Hilarius*, where he 'ſaith, ſpeaking of that Matter, *Datæ ſunt Claves 'Petro principalius, in quantum erat aliorum Capi- 'taneus.* The Keys, ſaith he, were given to *Peter* 'principally, in that he was Chief and Captain 'of the other. And if that any Man yet will con- 'tend that this Place doth give no more Authority 'to *Peter* than to the reſt of the Apoſtles, I have 'read another Place of Scripture which doth ex- 'clude the reſt of the Apoſtles from Equality of 'Authority with *Peter* in the Rule and Govern- 'ment of the Church of *Chriſt*, and that is the 'changing of his Name: For, at *Peter*'s firſt meet- 'ing with our Saviour *Chriſt*, his Name was *Si- 'mon*, as it is there mentioned in theſe Words, 'Simon, *the Son of* Jona, *thou ſhalt be called* Cephas; 'that is to ſay, a Stone or a Rock. And for what 'Conſideration and End *Chriſt* gave him that 'Name, it doth appear in the 16th of St. *Matthew*, 'in theſe Words, *Tu es* Petrus, *&c. Thou art* Pe- 'ter; that is to ſay, a Stone or a Rock, *and upon 'this Stone or Rock I will build my Church.* Here I 'ſhall deſire you to note, that *Peter* hath a Promiſe 'made unto himſelf alone, which was made to 'none other of the Apoſtles, that is, That as he 'had received a new Name, ſo he ſhould have a

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Q. *Elizabeth.* 1558.

'new Privilege or Preferment, to be the Foundation, Ground, and Stay of *Christ*'s Church, being 'builded upon him; for he was called a *Rock* or 'Stone, for the Stability and Conſtancy that ſhould 'always appear in the Church, being builded upon 'him, a ſure Foundation and immoveable. Which 'Thing doth now appear in the Succeſſion of '*Peter*: For as concerning the other Apoſtles, in 'their own Perſons, I do not doubt but during 'their Lives natural, they were as firm and ſtable 'in the Faith of *Chriſt* as *Peter* was; but for their 'Succeſſion we have no ſuch Proof, ſeeing that only 'the Succeſſion of *Peter* doth continue in the Church 'of *Chriſt*, the like appearing in none of the other 'Apoſtles: Which is the only Stay of the ſame in 'Earth, and undoubtedly ſhall be untill the World's 'End. This Place of Scripture, in my Judgment, 'if there were no more, is ſufficient to prove that '*Peter* and his Succeſſors be appointed of *Chriſt* to 'have the Rule and Government of his Church in 'Earth above all others, both Spiritual and Temporal; and yet I do know that there may and alſo 'will Objections be laid againſt theſe my Sayings: 'For ſome will ſay that *Chriſt* himſelf is the Stone 'whereupon his Church is builded, and ſome will 'ſay that the Profeſſion that *Peter* made of *Chriſt*, 'when he ſaid, *Thou art the Son of the living God*; 'which be both true, and yet not repugnant to 'that which I have ſaid before; for all theſe three 'Underſtandings, well pondered and conſidered in 'their divers Reſpects, may ſtand together: But I 'do think that if the Mind and Intent of our Savi-'our *Chriſt*, when he ſpake theſe Words, *Thou art* 'Peter, &c. be well weighed, the Place itſelf doth 'declare, that it is ſpecially to be underſtanded of 'the Perſon of *Peter* and his Succeſſors: For undoubtedly he, knowing that Infidelity and Here-'ſies ſhould ſo increaſe and abound that his Church 'and Faith ſhould be in Danger to be overthrown 'and extinguiſhed, made Promiſe there ſo to pro-'vide by *Peter* and his Succeſſors, that it ſhould be 'always known where his Faith ſhould be had

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'and sought for again, if it were any where lost, unto all Men that would, with Humility, desire, seek after, and receive the same. Q. *Elizabeth.* 1558.

'So that we now, if we should understand the Place of our Saviour *Christ*, which is the first and true Stone of this Building in very Deed, what Certainty can we have of our Faith? Or how shall we stay ourselves, wavering in the same in this our Time? For at this present there be abroad in Christendom thirty-four sundry Sects of Opinions, whereof never one agreeth with another, and all differ from the Catholic Church. And every one of these Sects do say and affirm constantly, That their Profession and Doctrine is builded upon *Christ*, alledging Scripture for the same. And they all and every of them, thus challenging *Christ* to be their Foundation by Scripture, how shall any Man know to which of them he may safely give Credit, and so obey and follow?

'The like is to be said of *Peter*'s Confession, wherein we can have no sure Trial: For every one of these Sects or Heresies doth confess and acknowledge *Christ* to be the Son of the living God. So that I think I may conclude that our Saviour *Christ* in this Place, saying, *That he would build his Church upon a Stone*, did mean, by the Stone, *Peter* and his Successors, whereunto Men might safely cleave and lean, as unto a sure and an unmoveable Rock, in Matters of Faith; knowing certainly that in so doing they shall not fall, I mean in Faith; as we do most manifestly see it hath come to pass, and continued for the Space of a Thousand Five Hundred Years and odd.

'I have heard objected here of late against the Supremacy of *Peter* and his Successors, divers Reasons which appear unto me to have in them small Substance; as I trust it shall appear unto you by the unfolding of the same. And for the better Understanding of the same, I will bring them unto three head Places.

'Whereof

Q. *Elizabeth.* 1558.

'Whereof the *firſt* doth conſiſt in the wicked 'and evil Lives, as it is alledged, of certain Popes 'of *Rome*; which as I do think were nothing ſo 'wicked as they were reported to have been: But 'let that be they were ſo, What then? A Man is 'a Man, and, as the Scripture ſayeth, *Quis eſt 'Homo qui non peccet? What Man is he that ſin-'neth not?* Again, if that our Saviour *Chriſt* had 'made the like Warrant unto *Peter* and his Succeſ-'ſors, as concerning their Converſation and Li-'ving, as he did for the Continuance and Stability 'of their Faith, and had ſaid unto *Peter*, *Ego rogavi 'pro te ut non pecces, I have prayed for thee that 'thou ſhalt not ſin*; as he ſaid, *Ego rogavi pro te 'ut non deficiat Fides tua, I have prayed that thy 'Faith ſhall never fail*; then their evil Lives had 'been an Argument to have proved, that they had 'not been the true Succeſſors of *Peter*, neither had 'had any ſuch Authority given unto them of God: 'But ſeeing that the Warrant was made only for 'the Continuance of their Faith, wherein they have 'hitherto, and do yet moſt conſtantly ſtand, with-'out any Mention of their Converſation and Living, 'it is, in my Judgment, no Proof nor Argument 'againſt the Authority and Supremacy of the See of '*Rome*; as we ſee that the Adultery and Murder 'committed by King *David* doth not diminiſh the 'Authority of godly *Pſalms* written by him; nei-'ther the diſſolute Living and Idolatry of King '*Solomon* is prejudicial to divers Books of Scripture 'written by him; nor yet the Covetouſneſs of the 'Prophet *Balaam* did let, in any Condition, the 'Virtue and Strength of God, the Bleſſing of God 'ſent unto the Children of *Iſrael* by him, nor the 'Truth of the Prophecy, as concerning the Coming 'of our Saviour *Chriſt*, by him likewiſe pronoun-'ced; even ſo the Lives of the Popes of *Rome*, 'were they ever ſo wicked, cannot be prejudicial to 'the Authority given to *Peter* and his Succeſſors 'by the Mouth of our Saviour *Chriſt*.

'The Sum of the Objections ſecondarily made 'againſt his Authority, doth conſiſt (as they do al-

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'ledge) in certain Canons of the Council of *Ni-* Q. *Elizabeth.*
'*cene*, and the ſixth Council of *Carthage*, with 1558.
'the Departure of the *Greek* Church, and other
'Realms now in our Days from the Authority of
'the ſaid See of *Rome*. As concerning the Coun-
'cil of *Nicene*, I do marvel that they will alledge
'any Thing therein contained in this Matter, ſee-
'ing in the Preface of the ſaid Council it is decla-
'red, that this Authority which we ſpeak of is given
'unto the ſaid See by no Councils or Synods, but
'by the Evangelical Voice of our Saviour *Jeſus*
'*Chriſt*: And alſo the Fathers of the ſaid Council
'being condeſcended and agreed in all Matters of
'Controverſy, moved in that their Aſſembly,
'wrote unto the Pope, deſiring to have their De-
'crees confirmed by his Authority, as it doth more
'at large appear in their Epiſtle written in that
'Behalf. Further, *Athanaſius*, who was preſent
'at the ſaid Council, and after Patriarch of *Alex-*
'*andria*, doth not only acknowledge the Cure and
'Charge of the univerſal Church of *Chriſt* to be
'given to *Peter* and his Succeſſors, but alſo, being
'univerſally deprived, did appeal unto the Pope of
'*Rome*, and by him was reſtored again. And like-
'wiſe the ſixth Council of *Carthage* maketh no-
'thing for their Purpoſe; for the Supremacy of
'the Pope was not called in Queſtion there, but
'ſome Variance there was indeed, which conſiſteth
'in this Point only, whether a Biſhop or a Prieſt,
'being accuſed and troubled, and thinking himſelf
'to have Wrong, might appeal to *Rome* for the
'better Examination and Trial of his Cauſe or
'no, as one *Appiarius* a Prieſt had done then in
'*Afric*. There was alledged for Appellations to
'be made to *Rome* a Canon of *Nicene* Council,
'which indeed was ſought for and could not be
'found, which was no Marvel; for whereas the
'Fathers in *Nicene* Council made ſeventy Canons,
'through the Wickedneſs of Heretics, there was
'then but found remaining only twenty-one. Yet
'that notwithſtanding the Biſhops of *Afric* did
'not long after ſubmit themſelves to the Church

'of

Q. *Elizabeth.* 1558.

'of *Rome* in that Point. Also, they use to inculcate the Authority of this Council; for because that St. *Augustine* was present at it, as he was indeed, which maketh directly against them: For St. *Augustine* doth every where in his Works acknowledge the Supremacy of St. *Peter* and his Successors; as in his 162d Epistle, saying thus, 'In Romana *Ecclesia semper viguit Apostolicæ Cathedræ Principatus: In the Church of* Rome *hath always been strengthened, or flourished, the Rule or Authority of the Apostolic Chair.*.

'And where I heard a Question moved here of late, whether that ever the *Greek* Church did acknowledge the Superiority of the Church of *Rome* or no? Of the which Matter I marvel that any Man doth doubt, seeing that the *Greek* Church did not only acknowledge, but also continue in Obedience under, the said Church of *Rome*, by the Space of Eight Hundred Years at the least, so far as I can read myself, or learn of others. And after that it did first renounce the said Authority, it did return again with Submission fourteen several Times, as good Authors write, and as we may partly gather by the Council of *Florence*, which was about a Hundred and forty-one Years ago; whereas the Patriarch of *Constantinople* himself was present among other Bishops and learned Men of *Greece*, in the which this Matter in Controversy was determined and agreed upon, as it doth manifestly appear in the Canons of the said Council. Moreover, if the *Greek* Church were not under the Authority and Rule of the Church of *Rome*, what shall we think of the Story of *Anthemas*, Patriarch of *Constantinople*, who was deposed for the Heresy of *Eutyches*, by the Pope *Agapetus*. For whose Restitution earnest and long Suit was made by the Empress *Theodora*, that then was, first to the Pope *Silverius*, and after to his Successor *Vigilius*, and could in no Condition be obtained. But as touching the *Greek* Church, and the Departure of the same from the Church of *Rome*; this we may briefly

'say

'say and conclude, that, after it did divide itself from the Church of *Rome*, it did, by little and little, fall into the most extreme Miseries, Captivity, and Bondage; in the which at this Present it doth remain. And as concerning other Countries that have renounced the aforesaid Authority, as *Germany*, *Denmark*, and, as it was here said, *Polonia*, this I have to say, That the Miseries and Calamities that *Germany* hath suffered, since their Departure from the Church of *Rome*, may be a Warning and Example to all other Nations to learn by, and beware of the like Attempt. And as for *Denmark*, I do hear indeed they be very *Lutherans*, and have also renounced the Pope's Authority; but yet I cannot learn, nor hear, that either the King of *Denmark*, or yet any Prince of *Germany*, doth take upon him to be called *Supreme Head of the Church*. And as for *Polonia*, although it be troubled with Heresies as other Realms be, yet I cannot learn that either the King or the Clergy thereof hath, or doth give any Place to the same; but of the contrary doth most earnestly withstand them, as may right well appear by certain Books set out this present Year, that is 1558, by a Bishop of *Polonia*, called *Stanislaus Hosius*; in the which it is declared, amongst many other Things, that earnest Suit had been made by the Protestants to have three Things granted and suffered to be practised within that Realm; that is to say, that Priests might have Wives; to have the public Service in their vulgar Tongue; and the Sacrament of the Altar ministered under both Kinds; which all three were denied them: Whereby it appeareth plainly that *Polonia* is not in that Case that Men reported it to be in. But, and if it were so that all these Realms, yea and more, were gone from the Obedience of that Church, doth it therefore follow that the Authority thereof is not just? I think not so. For as *Ferdinandus*, now Emperor, descending justly by Election from *Constantine* the Great, if the Empire which was under *Constan-*

Q. *Elizabeth.* 1558.

'*tine's*

Q. *Elizabeth.* 1558.

'*tine*'s Rule were divided into twenty Parties, it 'hath ſcarcely one of the twenty, and yet the 'Authority of an Emperor continueth in him ſtill. 'And as the Departure of *Gaſcoigny*, *Guienne*, '*Normandy*, *Scotland*, and *France*, which were all 'ſometimes under the Imperial Crown of *England*, 'doth not take away the Authority thereof, but 'that it is an Imperial Crown ſtill; even ſo doth 'not the Departure of theſe Countries from the 'See of *Rome*, diminiſh the Authority given unto 'the ſame by God. Beſides that St. *Paul* ſaith, '*That there ſhall be a Departing before the Day of* '*Judgment*; which altho' ſome underſtand of the 'Empire, yet the moſt Part refer it to the Church 'of *Rome*, from whence Men ſhall fall and depart 'by Infidelity and Hereſies; but whether it ſhall 'be in all Countries at one Time or divers Times, 'it is uncertain.

'*Thirdly*, There is alledged a Provincial Council 'or Aſſembly of the Biſhops and Clergy of this 'Realm of *England*, by whom the Authority of 'the Biſhop of *Rome* was aboliſhed and diſannulled: 'Which now ſome inculcate againſt us, as a Mat-'ter of great Weight and Authority; whereas in 'very Deed it is to be taken for a Matter of ſmall 'Authority, or elſe none. For, *firſt*, We know 'that a particular or a Provincial Council can make 'no Determination againſt the univerſal Church 'of *Chriſt*. *Secondarily*, Of the learned Men that 'were the Doers there, ſo many as be dead, before 'they died were penitent, and cried, *God Mercy* '*for that Act*; and thoſe that do live, as all your 'Lordſhips do know, have openly revoked the 'ſame, acknowledging their Error. And where 'ſome here doth ſay, That they will never truſt 'thoſe Men which once denied the Pope's Autho-'rity, and now of the contrary ſtand in the De-'fence of the ſame; in my Judgment their Sayings 'be not greatly to be allowed: For it may happen, 'as oftentimes it doth chance indeed, that a Man 'of Honeſty, Worſhip, yea of Honour, may com-'mit Treaſon againſt his Prince, and yet, by the

'Goodneſs

'Goodneſs of the ſame Prince, be pardoned for that 'Offence; ſhall we determinately ſay, That Man 'is never after to be truſted in the Prince's Af- 'fairs? Nay, God forbid, but rather think of the 'contrary; that he which once hath run ſo haſtily 'and raſhly, that he hath overthrown himſelf and 'fallen, and broken his Brow or his Shin, will 'after that take Heed to walk more warily. As 'we learn at the Apoſtles of our Saviour *Chriſt*, 'who did all forſake him and run away, when 'he was apprehended and brought before the *Jews*, 'and ſpecially of St. *Peter*, who did thrice deny 'him. And yet after, as well *Peter* as all the reſt 'of the Apoſtles, did return again to their Maſter '*Chriſt*; and never would after, for neither Per- 'ſecution nor Death, forſake or deny him any 'more. So that it may appear, although Men 'have once gone aſtray, if they return to the Truth 'again, their Teſtimonies in the Truth be not to 'be diſcredited. And ſo I truſt that you ſee that 'all theſe Reaſons and Objections, made againſt 'the Authority of the Church of *Rome*, be of none 'Effect, if they be indifferently weighed and con- 'ſidered. Q. *Elizabeth.* 1558.

'And whereas there was a Reaſon made here, 'That a Temporal Prince, unto whom no Eccle- 'ſiaſtical Juriſdiction or Rule is given or commit- 'ted by God, cannot himſelf be Head of the 'Church of *Chriſt*; ſo he cannot ſubſtitute nor 'appoint another to exerciſe any ſuch Juriſdiction 'or Authority in Spiritual Matters, in or over the 'Church of *Chriſt* under him: For as it was then 'ſaid, No Man can give to another that Thing 'which he hath not himſelf: Whereunto this An- 'ſwer was made, That a Prince may give to an- 'other that Authority which he hath not himſelf, 'neither may exerciſe; as, for Example, they al- 'ledge, That a King of himſelf is not a Judge, and 'yet he hath Authority to appoint Judges to mi- 'niſter Juſtice. And likewiſe they ſaid, That a 'King himſelf is no Captain, and yet hath Autho- 'rity to appoint Captains under him, for Defence

'of

Q. *Elizabeth.* 1558.

'of his Realm and Overthrow of his Enemies; 'and even ſo, ſay they, he may appoint and ſub- 'ſtitute one under him to exerciſe Spiritual Juriſ- 'diction, altho' he have no ſuch Authority himſelf. 'Which Reaſons appear unto me not only to be 'very weak and feeble, but alſo to be plainly falſe 'and againſt Scripture; which doth declare, That 'the Office of a King doth conſiſt eſpecially in theſe 'two Points, which theſe Men deny to be in him; 'that is, playing of the Judge, and miniſtering of 'Juſtice to his Subjects; and likewiſe in playing 'the valiant Captain, in defending of the ſame his 'Subjects from all Injury and Wrong; as the 8th 'Chapter of the firſt Book of *Kings* declareth in 'theſe Words, *Judicabit Rex nos noſter, et egre- 'dietur ante nos, et pugnabit Bella noſtra pro nobis*; 'that is, *Our King ſhall judge us, and he ſhall go 'forth before us, and he ſhall fight our Battles for us.* 'And likewiſe *Nathan* ſaid unto *David*'s own Per- 'ſon, *Reſponde mihi Judicium*; *Make me Anſwer 'according to Juſtice.* And likewiſe *Solomon* him- 'ſelf did give Sentence and Judgment between 'the two common Women, which of them two 'was the Mother of the Child which was alive. 'And as for to prove that thoſe Kings, with others 'in the Old Teſtament, were Captains themſelves 'in the Defence of their Realms, is more mani- 'feſt than I ſhall need to travel in proving of the 'ſame.

'And thus to draw unto an End, I truſt your 'Lordſhips do ſee, that, for Unity and Concord in 'Faith and Religion, to be preſerved and continu- 'ed in the Church, our Saviour *Chriſt*, the Spouſe 'thereof, hath appointed one Head or Governor, 'that is to wit, *Peter* and his Succeſſors, whoſe 'Faith he promiſed ſhould never decay, as we ſee 'manifeſtly it hath not indeed. And for thoſe 'Men who write and ſpeak againſt this Autho- 'rity, if therewith their Writings and their Doings 'be well conſidered, they ſhall appear to be ſuch, 'as ſmall Credit or none is to be given unto in 'Matters of Weight, ſuch as this is: For who ſo

'readeth

‘ readeth the third Chapter of the second Epistle of St. *Paul* to *Timothy*, may see them there lively ‘ described with their Doings; and specially one ‘ Sentence therein may be applied and verified of ‘ them most justly; that is, *Semper discentes, & nunquam ad Scientiam Veritatis pervenientes*; that ‘ is to say, *Always learning and never coming to the Knowledge of Truth.* For as we see them vary ‘ amongst themselves, one from another, so no ‘ one of them doth agree with himself in Matters ‘ of Religion two Years together. And as they ‘ be gone from the sure Rock and Stay of *Christ*'s ‘ Church, so do they reel and waver in their Doctrine, wherein no Certainty nor Stay can be ‘ found. Whereof St. *Paul* doth admonish us, and ‘ teach us in the Person of his Scholar *Timothy*, to ‘ be constant in Doctrine and Religion, and not to ‘ follow such Men: For after, in the same Chapter, he saith thus, *Tu vero permane in iis quæ didicisti, et quæ credita sunt tibi, sciens a quo didiceris*: ‘ *But as for thee*, saith St. *Paul*, speaking unto every ‘ Christian Man in the Person of *Timothy*, *continue in those Things which thou hast learned, and which be credited unto thee, knowing of whom thou hast learned them.* In which Words we might understand, that St. *Paul* doth not move any Man ‘ to continue in any false or untrue Doctrine: ‘ Wherefore he moveth every Man to consider ‘ not only his Religion and Doctrine, but also, or ‘ rather, the Schoolmaster of whom he learned the ‘ same: For of the Knowledge, Constancy, and ‘ Worthiness of the Schoolmaster, or Teacher, ‘ may the Doctrine, taught by him, be known to ‘ be good and sound, or otherwise. Now, if a Man ‘ should ask of these Men in this Realm, which ‘ dissent from the Catholic Church, not only in this ‘ Point of the Supremacy, but also in divers of the ‘ chief Mysteries of our Faith, of whom they ‘ learned this Doctrine which they hold and teach? ‘ they must needs answer, That they learned it of ‘ the *Germans*. Then we may demand of them ‘ again, Of whom the *Germans* did learn it? Where-

Q. *Elizabeth.* 1558.

Q. *Elizabeth.* 1558.

'Whereunto they muſt anſwer, That they learned it of *Luther*. Well then, of whom did *Luther* learn it? Whereunto he ſhall anſwer himſelf, in 'his Book that he wrote, *De Miſſa angulari, ſeu privata*, where he ſaith, That ſuch Things as 'he teacheth againſt the Maſs, and the bleſſed 'Sacrament of the Altar, he learned of Satan the 'Devil: At whoſe Hands, it is like, he did alſo 'receive the reſt of his Doctrine. Then here be 'two Points diligently to be noted; *firſt*, That 'this Doctrine is not fifty Years old, for no Man 'taught it before *Luther*: And, *ſecondarily*, That '*Luther* doth acknowledge and confeſs the Devil to 'be his Schoolmaſter in divers Points of his Doc-'trine. So that if Men would diligently mine St. '*Paul*'s Words, where he biddeth us know of 'whom we have learned ſuch Doctrine as we hold, 'they would refuſe this perverſe and wicked Doc-'trine, knowing from whom it came. But if they 'will aſk us of whom we learned our Doctrine, 'we anſwer them, That we learned it of our 'Forefathers in the Catholic Church, which hath 'in it continuedly the Holy Spirit of God for a 'Ruler and Governor: And again, if they aſk 'of whom our Fathers learned this ſame, we ſay, 'Of their Forefathers within the ſame Church. 'And ſo we manually aſcend in Poſſeſſion of our 'Doctrine, from Age to Age, unto the Apoſtle '*Peter*, unto whom, as St. *Cyprian* ſaith, our Sa-'viour *Chriſt* did betake his Sheep to be fed, and 'upon whom he founded his Church.

'So that now we may be bold to ſtand in our 'Doctrine and Religion againſt our Adverſaries, 'ſeeing that theirs is not yet fifty Years old, and 'ours above fifteen hundred Years old. They 'have, for Authority and Commendation of their 'Religion, *Luther* and his Schoolmaſter before men-'tioned; we have for ours, St *Peter* and his Maſter '*Chriſt*. So that now, by the Doctrine of *Irenæus*, 'every Man may know where the Truth is, and 'whom he ſhould follow; which ſaith thus, *Eis, qui in Eccleſia ſunt Preſbyteris, obedire oportet*;

'*his*

'*his qui Succeſſionem habent ab Apoſtolis, qui cum* Q. *Elizabeth.* 1558.
'*epiſcopali Succeſſione Charisma Veritatis certum ſe-*
'*cundum placitum Patris acceperunt; reliquos vero*
'*qui abſiſtunt a principali Succeſſione, et quocunque*
'*Loco colliguntur, ſuſpectos habere, vel quaſi Hære-*
'*ticos, et malæ Sententiæ, vel quaſi ſtudentes* [*par-*
'*tium*] *et elatos ſibi placentes: Aut rurſus ut Hypo-*
'*critas Quæſtus gratia et vanæ Gloriæ hoc operan-*
'*tes; qui omnes decidunt a Veritate.* That is, 'To
"those Prieſts which be in the Church we ought
"to obey, thoſe which have their Succeſſion from
"the Apoſtles, who, with Biſhop-like Succeſſion,
"have received a ſure gracious Gift, according to
"the Good-will of the Father: But for the other,
"which depart from the principal Succeſſion, and
"be gathered in whatſoever Place, we ought to
"hold them ſuſpected, either as Heretics and of
"an evil Opinion, or as making Diviſions, and
"proud Men, and pleaſing themſelves: Or, again,
"as Hypocrites, doing that for Advantage and
"vain Glory; which all do fall from the Truth.'
'And thus I make an End, moſt humbly thanking
'your good Lordſhips for your gentle Patience;
'deſiring the ſame likewiſe to weigh and conſider
'theſe Things which I have ſpoken, as ſhall be
'thought good to your Wiſdoms.'

Amongſt the Temporal Lords, in the Oppoſition to the Bill of Supremacy, *Anthony Brown*, Viſcount *Montacute*, (who had been ſent to *Rome*, in the laſt Reign, by the Parliament, along with *Thurlby*, Biſhop of *Ely*, to procure that *England* might be reſtored to the Unity of the Church of *Rome*, and Obedience to the Apoſtolic See) out of a Sentiment of Zeal and Honour, ſays *Camden*, ſpoke, in the Debate, to this Effect:

'That it would be a very diſgraceful Reflec- Lord *Montacute*'s Speech on the ſame Subject.
'tion upon *England*, which was ſo lately and ſo
'well reconciled to the Apoſtolic See, to make ſo
'ſudden a Revolt from it. And, moreover, the
'Hazard would be as great as the Scandal, ſhould
'the Pope thunder out his Excommunication, and
'expoſe the Nation, by that Means, to the Reſent-

Q. *Elizabeth.* 1558. ‘ment of its neighbouring Enemies, upon the Score ‘ of this Defection. That he, for his Part, and by ‘ Authority of Parliament, and in the Name of the ‘ whole Body of *England*, rendered Obedience to ‘ the Pope; the Performance of which he could ‘ by no Means diſpenſe with: He therefore con- ‘ jured them, with great Importunity, not to with- ‘ draw themſelves from the See of *Rome*; to ‘ which they were beholden for the firſt Chriſtian ‘ Faith, and the conſtant Defence of it ever ſince.’

What Succeſs all theſe Speeches had needs no Explanation; the Bill paſſed into a Law, and is the firſt amongſt our printed Statutes of this Reign. This Act renews all the Laws of King *Henry* VIII. which Queen *Mary* had repealed, as well as thoſe of King *Edward* VI. in Favour of the Reformation. By it is declared, ‘ That whatever Rights, Privi- ‘ leges, or Spiritual Preheminences had been former- ‘ ly in Uſe, and eſtabliſhed by any Eccleſiaſtical ‘ Authority whatever; for viſiting the Clergy and ‘ correcting all Kinds of Error, Hereſy, and Schiſm, ‘ with other Abuſes and Diſorders, ſhould be for ‘ ever annexed to the Imperial Crown of *England*. ‘ That the Queen and her Succeſſors might be im- ‘ powered to give their Letters Patent to ſome par- ‘ ticular Perſons, for the due Exerciſe of that Au- ‘ thority; on this Condition, however, that they ‘ ſhould not determine any Thing to be Hereſy, but ‘ what had been ſo defined Time out of Mind, ei- ‘ ther from Canonical Scripture, the four firſt Oe- ‘ cunemical Councils, or ſome other, according to ‘ the genuine Senſe of Holy Writ; or ſhould here- ‘ after be ſo defined, by Authority of Parliament, ‘ with the Conſent of the *Engliſh* Clergy, in Con- ‘ vocation. That all Eccleſiaſtical Perſons and ‘ Magiſtrates, who received Penſions from the Ex- ‘ chequer; ſuch as ſhould take any Degree in the ‘ Univerſities; Wards that were to ſue their Li- ‘ veries and be inveſted in their Eſtates; and ſuch ‘ as were to be admitted into the Queen’s Service, ‘ *&c.* ſhould take an Oath to acknowledge the ‘ Queen to be the Supreme Governor of her

‘ Kingdoms,

'Kingdoms, in all Cauſes, as well Spiritual as Civil. Q. *Elizabeth.* 1558.
'Laſtly, all foreign Princes and Potentates are by 'this Act wholly excluded the Privilege of taking 'Cognizance of any Cauſe within her Dominions.'

By one Clauſe in this Act, the Queen and her Succeſſors are impowered to erect a High Commiſſion Court for the Exerciſe of all Eccleſiaſtical Juriſdiction. For the particular Power of this Court we refer to the Act itſelf, ſince it was not ſet on Foot 'till the 18th of this Reign.

In order to ſtrengthen Queen *Elizabeth*'s Title ſtill the more, a Bill was brought into the Houſe of Lords, *February* 10, whereby the Queen is made inheritable to the late Queen *Anne* her Mother; which afterwards paſſed into a Law. On the 11th of the ſame Month two Bills were ſent up by the Commons: the one for a Subſidy of two Fifteenths and two Tenths, granted by them, the other for Tonnage and Poundage given alſo for Life. The firſt was returned, paſſed by the Lords, with ſome Corrections inſerted, *February* 16; and the latter, A Subſidy. on the 20th, was alſo ſent down, with certain Amendments added to it; which were all agreed to by the Commons [a].

A Petition was delivered [b] to the Lords, by the Knights and Burgeſſes of the *Welſh* Shires, and the County Palatine of *Cheſter*, praying to be reſpited, and have longer Time allowed them for the Payment of the Subſidies and Myſes charged upon thoſe Counties. The Lords thought proper to move the Queen about this Matter by the Lord-Keeper, to know her Majeſty's Pleaſure herein; which after they underſtood, an Order was made that the ſaid Counties ſhould be allowed a Year's Time, after the Aſſeſſment of theſe Taxes was laid by the Commiſſioners, to diſcharge them in. And this Award was ordered to be entered in their *Journal.*

In the ſaid *Journals* is alſo an Entry made, relating to the Privileges of the Peers [c]:

[a] It is ſtrange that Mr. *Camden* takes no Notice of this Subſidy.
[b] *Feb.* 15.
[c] *Feb.* 21.

Q. *Elizabeth.* 1558.

'Whereas one *John Broxham* hath brought one 'Affize againſt the Lord *Willoughby* of *Parham*, to 'be tried at and in the Aſſizes and Seſſions now 'next to be holden at *Lincoln*. Upon Complaint 'and Petition of the ſaid Lord *Willoughby*, for that 'he neceſſarily attendeth the Parliament, ſo as he 'cannot with his learned Counſel, ſome of whom 'likewiſe be Burgeſſes of this Parliament, be at 'the ſaid Seſſions and Aſſizes: It is therefore or- 'dered and decreed, by the Lords in Parliament, 'That an Injunction preſently be awarded out of 'the Chancery to the ſaid *John Broxham*, his 'Counſellors and Attornies, commanding them, 'and every of them, upon the Pain of 500 *l.* that 'they, nor none of them, in any wiſe proceed in and 'to that Trial of the ſaid Aſſize, at this Aſſizes 'now next to be holden at *Lincoln* aforeſaid.

Reſolution relating to Privilege of Peers.

February 4. A Motion was made in the Houſe of Commons, to addreſs her Majeſty on the Subject of her Marriage. This was ſeconded by ſeveral; though the Subſtance of the Arguments made uſe of on this Occaſion are omitted in the *Journal*. But we find that, on the 6th, it was agreed by the whole Houſe, that thirty of their Members ſhould go with their Speaker, and attend upon the Queen that Afternoon with their Addreſs. However it was not preſented till *Feb.* 10, to try to get the Peers to ſecond it; but they, ſays *Camden*, refuſed, for Fear they ſhould be ſuſpected of a Deſign to ſerve their own Ends by it: Wherefore, on the Day aforeſaid, Sir *Thomas Gargrave*, the Speaker, and the Committee, waited upon the Queen, when he delivered himſelf to her in theſe Words:

May it pleaſe the Queen's Highneſs.

The Commons addreſs the Queen to marry.

'THere is nothing that we more earneſtly de- 'ſire of God in our daily Prayers, than that 'the Happineſs we have hitherto enjoyed, in the 'Equity and Juſtice of your Majeſty's Govern- 'ment, may be continued to this Nation down to 'the

'the lateſt Poſterity: But how to effect this, amidſt 'all the Variety of our Aims and Endeavours we 'muſt profeſs ourſelves at a Loſs, unleſs either your 'Majeſty were to reign for ever, (a Bleſſing which 'twere in vain to hope for) or would vouchſafe 'to accept ſome Match capable of ſupplying Heirs 'to your Royal Virtues and Dominions, which 'God grant, ſince it is the hearty and united Wiſh 'of all your Subjects. It ought to be the main 'Concern of Perſons of all Ranks and Degrees 'whatever, (of Princes eſpecially) that, ſince they 'are mortal themſelves, they may ſecure the King-'dom from that Fate. Now it is in your Maje-'ſty's Power to confer this Kind of Immortality 'upon your Kingdom of *England*, by accepting a 'Huſband, who may prove a Support and Comfort 'to you in all Changes of Fortune; beſides that 'your Majeſty's Temper and Age, Perſon and 'Fortune, ſeem to plead hard for ſuch a Change 'of State. For it cannot be doubted, but the ſin-'gle Zeal and Aſſiduity of ſuch a Relation will diſ-'patch more Buſineſs, and to better Purpoſe, than 'the joint Endeavours of a great many who are 'leſs concerned. Nor indeed can any Thing have 'a worſe Influence upon the Public, than that a 'Princeſs, whoſe Marriage muſt needs produce the 'Twin-Bleſſings of Peace and Safety to a Kingdom, 'ſhould, like a Nun profeſs'd, condemn herſelf to 'a ſingle State. Since your Majeſty has received 'the Kingdom by way of Inheritance from your 'Royal Anceſtors, you ought to continue it down 'to ſuch, as may prove the Glory and the Security 'thereof. Beſides, the Kings of *England* have 'ever ſhewn a more than ordinary Concern, that 'the Royal Family might not be extinct for Want 'of Iſſue: Hence was it, that your Royal Grand-'father, *Henry* VII. did (within our freſheſt Me-'mory) provide ſuitable Matches for his Sons *Ar-'thur* and *Henry*, tho' they were both very young. 'And, for the ſame Reaſon, your Royal Father 'courted *Mary* Queen of *Scots* for his Son Prince '*Edward*,

Q. *Elizabeth.* 1558.

Q. *Elizabeth.* 1558.

'*Edward*, who was then but eight Years old. 'And it is not very long ſince your Siſter Queen '*Mary*, though pretty well advanced in Years, 'was married to *Philip* of *Spain*. Now, if the Lot 'of Barrenneſs, whether it fell to the Share of Prin-'ces or Peaſants, was always looked on as the moſt 'grievous Misfortune, what a weighty Guilt muſt 'that Princeſs contract, who ſhall make this Pu-'niſhment her Option; from whence innumerable 'Evils muſt ariſe to the Commonwealth, and ſuch 'Misfortunes as are not even to be thought of 'without Dread and Horror. That Matters may 'never come to this ſad Paſs, not only the ſmall 'Number of us that are here preſent, but all *Eng-'land* in general, and every one of your Subjects 'in particular, caſt themſelves at your Majeſty's 'Feet, and, with the deepeſt Concern, tender this 'humble but preſſing and earneſt Addreſs.'

Camden hath only given us an Abſtract of the Queen's Anſwer to this Speech in the Body of his Hiſtory; but, as in ſuch high Matters as theſe we cannot be too circumſtantial, we ſhall give it at large, as it is preſerved in *Dewes*'s *Journal*.

Gentlemen,

Her Majeſty's Anſwer.

'AS I have good Cauſe, ſo do I give you all 'my hearty Thanks for the good Zeal and 'loving Care you ſeem to have, as well towards 'me as to the whole Eſtate of your Country. Your 'Petition, I perceive, conſiſteth of three Parts, and 'my Anſwer to the ſame ſhall depend of two.

'And to the firſt Part, I may ſay unto you, 'That from my Years of Underſtanding ſince I firſt 'had Conſideration of myſelf to be born a Servant 'of Almighty God, I happily choſe this Kind of 'Life in the which I yet live; which, I aſſure you, 'for mine own Part, hath hitherto beſt contented 'myſelf, and I truſt hath been moſt acceptable un-'to God; from the which, if either Ambition of 'high Eſtate offered to me in Marriage, by the 'Pleaſure and Appointment of my Prince, (where-'of I have ſome Record in this Preſence, as you

'our

'our Treasurer well know) or if eschewing the Danger of mine Enemies, or the avoiding the Peril of Death, whose Messenger, or rather a continual Watchman, the Prince's Indignation, was no little Time daily before mine Eyes; by whose Means, altho' I know, or justly may suspect, yet I will not now utter; or if the whole Cause were in my Sister herself, I will not now burden her therewith, because I will not charge the Dead; if any of these, I say, could have drawn or dissuaded me from this Kind of Life, I had not now remained in this Estate wherein you see me: But so constant have I always continued in this Determination, although my Youth and Words may seem to some hardly to agree together, yet is it most true, that at this Day I stand free from any other Meaning, that either I have had in Times past, or have at this present; with which Trade of Life I am so thoroughly acquainted, that I trust God, who hath hitherto herein preserved and led me by the Hand, will not, of his Goodness, suffer me to go alone. Q. Elizabeth. 1558.

'For the other Part, the Manner of your Petition I do well like, and take it in good Part, because it is simple, and containeth no Limitation of Place or Person: If it had been otherwise, I must needs have misliked it very much, and thought it in you a very great Presumption, being unfitting and altogether unmeet for you to require them that may command you; or those to appoint whose Parts are to desire; or such to bind and limit, whose Duties are to obey; or to take upon you to draw my Love to your Liking, or frame my Will according to your Fantasy; for a Guerdon constrained, and Gift freely given, can never agree together. Nevertheless, if any of you be in Suspect, whensoever it may please God to incline my Heart to another Kind of Life, you may well assure yourselves my Meaning is not to determine any Thing wherewith the Realm may or shall have just Cause to be discontent; and therefore put that clean out of your Heads.

'For

Q. *Elizabeth.* 1559.

'For I assure you, (what Credit my Assurance may 'have with you I cannot tell, but what Credit it 'shall deserve to have the Sequel shall declare) I will 'never in that Matter conclude any Thing that 'shall be prejudicial to the Realm. For the Weal, 'Good, and Safety whereof I will never shun to 'spend my Life; and whomsoever it shall be my 'Chance to light upon I trust he shall be such as shall 'be as careful for the Realm as you; I will not say 'as myself, because I cannot so certainly determine 'of any other, but, by my Desire, he shall be such 'as shall be as careful for the Preservation of the 'Realm and you, as myself. And albeit it might 'please Almighty God to continue me still in this 'Mind to live out of the State of Marriage, yet is 'it not to be feared but he will so work in my Heart, 'and in your Wisdom, as good Provision, by his 'Help, may be made, whereby the Realm shall 'not remain destitute of any Heir that may be a fit 'Governor, and peradventure more beneficial to 'the Realm, than such Offspring as may come of 'me: For tho' I be never so careful of your Well-'doing, and mind ever so to be, yet may my Issue 'grow out of Kind, and become perhaps ungracious. 'And, in the End, this shall be for me sufficient, 'that a Marble Stone shall declare, that a Queen 'having reigned such a Time, lived and died a 'Virgin. And here I end, and take your Coming 'to me in good Part, and give unto all my hearty 'Thanks; more yet for your Zeal and good Mean-'ing than for your Petition.'

Act for exchanging Lands of Bishoprics.

April 8. A Bill was read a third Time in the House of Lords, giving Authority to the Queen's Highness, upon the Avoidance of any Archbishopric or Bishopric, to take into her Hands certain of the Temporal Possessions thereof, recompensing the same with Parsonages impropriate, Tenths, &c. The Bill was concluded, the Archbishop of *York*, the Bishops of *London*, *Winchester*, *Worcester*, *Coventry*, *Exeter*, and *Chester*, dissenting. It afterwards passed into a Statute: But we must refer to the Act itself,

itself, and the more general Ecclesiastical Historians, particularly Mr. *Collier*, for an Explanation of this Statute. Q. *Elizabeth.* 1559.

The rest of the Acts passed in this Session of Parliament, that are worth Notice, are these: An Act relating to the offering Violence against the Queen's Person. An Act for the Uniformity of Common Prayer and Service in the Church, and the Administration of Sacraments. By this Act the Liturgy and the Sacraments established in *Edward* VIth's Time, were to be used and administered in all Churches, with very little Variation, under a certain Penalty to such as should presume to corrupt them, or resort to any other. There passed likewise another, for frequenting public Service on *Sundays* and *Holidays*, on Pain of 12 *d.* Forfeiture, to be employ'd for the Use of the Poor.

Against the Bill for the Liturgy we have two other Speeches, in Mr. *Strype*'s *Annals* [d], made by two zealous Catholic Divines, Dr. *Feckenham*, Abbot of *Westminster*, the last of his Order that ever spoke in that House; and the same Dr. *Scott*, Bishop of *Chester*; which, without any more Apology, we give in their own Words. And first the Abbot:

Honourable and my very good Lords,

'HAving at this present two sundry Kinds of Religion here propounded and set forth before your Honours, being already in Possession of the one of them, and your Fathers before you, for the Space of fourteen hundred Years past here in this Realm, like as I shall hereafter prove unto you; the other Religion here set in a Book to be received and established by the Authority of this High Court of Parliament, and to take its Effect here in this Realm at *Midsummer* next coming. And you being, as I know right well, desirous to have some Proof or sure Knowledge which of both these Religions is the better, and most worthy to be established here in this Realm, and to be preferred before the other, I will for my Part, and for the Discharge of my Duty, 'first,

Abbot *Feckenham*'s Speech against the Liturgy.

[d] *Annals of the Reformation*, Vol. I. in the *Appendix*.

Q. *Elizabeth.* 1559. ‘ *first*, unto God; *secondly*, unto our Sovereign La-
‘ dy the Queen's Highneſs; *thirdly*, unto your Ho-
‘ nours and to the whole Commons of this Realm,
‘ here ſet forth and expreſs unto you three brief
‘ Rules and Leſſons, whereby your Honours ſhall
‘ be able to put Difference betwixt the true Reli-
‘ gion of God and the Counterfeit, and therein ne-
‘ ver be deceived. The *firſt* of theſe three Rules
‘ or Leſſons is, That, in your Search and Trial-ma-
‘ king, your Honours muſt obſerve which of them
‘ both hath been of moſt Antiquity, and moſt ob-
‘ ſerved in the Church of *Chriſt*, of all Men, at all
‘ Times and Seaſons, and in all Places. The *ſe-*
‘ *cond*, Which of them both is of itſelf more ſted-
‘ faſt, and always forth one and agreeable with it-
‘ ſelf. The *third* and *laſt* Rule to be conſidered
‘ of your Wiſdoms is, Which of theſe Religions
‘ doth breed the more humble and obedient Subjects,
‘ firſt unto God, and next unto our Sovereign La-
‘ dy the Queen's Highneſs, and all ſuperior Powers.

‘ Concerning the *firſt* Rule and Leſſon, it can-
‘ not be truly affirmed or yet thought of any Man,
‘ that this new Religion here now to be ſet forth
‘ in this Book, hath been obſerved in *Chriſt*'s
‘ Church of all Chriſtian Men, at all Times and in
‘ all Places; when the ſame hath been obſerved
‘ only here in this Realm, and that for a ſhort
‘ Time, as not much paſſing the Space of two
‘ Years, and that in King *Edward* the Sixth's
‘ Days; whereas the Religion, and the very ſame
‘ Manner of ſerving and honouring of God, of the
‘ which you are at this preſent in Poſſeſſion, did
‘ begin here in this Realm 1400 Years paſt in King
‘ *Lucius*'s Days, the firſt Chriſtian King of this
‘ Realm; by whoſe humble Letters ſent to the
‘ Pope *Elutherius*, he ſent to this Realm two holy
‘ Monks, the one called *Damianus*, the other *Fa-*
‘ *ganus*; and they, as Ambaſſadors ſent from the
‘ See Apoſtolic of *Rome*, did bring into this Realm,
‘ ſo many Years paſt, the very ſame Religion
‘ whereof we are now in Poſſeſſion; and in the *Latin*
‘ Tongue, as the antient Hiſtoriographer *Gildas*
‘ witneſ-

witneſſeth, in the Prologue and Beginning of his Book of the *Britain* Hiſtory. And the ſame Religion, ſo long ago begun, hath had this long Continuance ever ſince here in this Realm; and not only of the Inhabitants thereof, but alſo generally of all Chriſtian Men, and in all Places of Chriſtendom, untill the late Days of King *Edward* VI. as is aforeſaid. Whereby it appeareth unto all Men that liſt to know, how that, by this Rule and Leſſon, the antient Religion and Manner of ſerving of God (whereof we are already in Poſſeſſion) is the very true and perfect Religion, and of God. Q. *Elizabeth.* 1559.

'Touching the *ſecond* Rule and Leſſon of Trial-making and Probation, whether of both theſe Religions is the better and moſt worthy of Obſervation here in this Realm, is this, That your Honours muſt obſerve which of both theſe is the moſt ſtayed Religion, and always forth one, and agreeable with itſelf. And that the new Religion, here now to be ſet forth in this Book, is no ſtayed Religion, nor always forth one, nor agreeable with itſelf, who ſeeth it not; when in the late Practice thereof in King *Edward* the Sixth's Days, how changeable and how variable was it in and to itſelf? Every other Year having a new Book deviſed thereof; and every Book being ſet forth, as they profeſſed, according to the ſincere Word of God, never any one of them agreeing in all Points with the other: The firſt Book affirming the Seven Sacraments, and the real Preſence of *Chriſt*'s Body in the Holy Euchariſt [d]; the other denying the ſame: The one Book admitting the real Preſence of *Chriſt*'s Body in the ſaid Sacrament to be received in one Kind with kneeling down, and great Reverence done unto it, and that in unleavened Bread; and the other Book would have the Communion received in both the Kinds, and in Loaf Bread [e], without any Reverence, but only unto the Body of *Chriſt* in Heaven. But the Thing moſt worthy to be obſerved of

[d] This is utterly falſe, as may be ſeen in that firſt Book, called *The Order of the Communion*, in Bp. *Sparrow*'s Collections. *Strype.*

[e] The Copy in the *Benet* Coll. Library, reads, *In Leaven. Bread.* Ibid.

Q. *Elizabeth.* 1559.

'of your Honours, is, how that every Book 'made a Shew to be set forth according to the 'sincere Word of God, and not one of them did 'agree with another. And what Marvel, I pray 'you, when the Authors and Devisers of the 'same Books could not agree amongst themselves, 'nor yet any one of them might be found that did 'long agree with himself? And, for the Proof 'thereof, I shall first begin with the *German* Wri-'ters, the chief Schoolmasters and Instructors of 'our Countrymen in all these Novelties.

'And I do read in an Epistle which *Philip Me-'lanæthon* did write unto one *Frederico Mikonino*, 'how that one *Carolostadius* was the first Mover 'and Beginner of the late Sedition in *Germany*, 'touching the Sacrament of the Altar, and the de-'nying of *Christ*'s real Presence in the same. And 'when he should come to interpret those Words 'of our Saviour *Christ*; *Accepit Panem, bene-'dixit, fregit, deditque Discipulis suis, dicens, Ac-'cipite, et comedite, hoc est Corpus meum, quod pro 'vobis tradetur, Digito*, inquit ille, *monstravit vi-'sibile Corpus suum.* By which Interpretation of '*Carolostadius*, *Christ* should with the one Hand 'give unto his Disciples Bread to eat, and with 'the other Hand point unto his visible Body that 'was there present, and say, *This is my Body, 'which shall be betrayed for you. Martin Luther*, 'much offended with this foolish Exposition made 'by *Carolostadius* of the Words of *Christ*, *Hoc est 'Corpus meum*, he giveth another Sense, and saith 'that *German*, *Sensus Verborum Christi*, was this, '*Per hunc Panem, vel cum isto Pane, En! Do 'vobis Corpus meum.* But *Zwinglius* finding much 'Fault with the Interpretation of *Martin Lu-'ther*, writeth, that *Luther* therein was much 'deceived, and how that in these Words of '*Christ*, *Hoc est Corpus meum*, the Verb Substan-'tive *est* must be taken for *significat*, and this Word '*Corpus*, *(quod pro vobis tradetur)* must be taken '*pro Figura Corporis.* So that the true Sense of 'these Words of *Christ*, *Hoc est Corpus meum*, by

'*Zwing-*

Q. Elizabeth. 1559.

'*Zwinglius*'s Suppoſal, is, *Hoc ſignificat Corpus meum, vel eſt Figura Corporis mei.* *Peter Martyr* 'being of late here in this Realm, in his Book by 'him ſet forth, of the Diſputation which he had 'in *Oxford*, with the learned Students there, of 'this Matter, giveth another Senſe of theſe Words 'of *Chriſt*, contrary unto all the reſt; and there 'ſaith thus, *Quod* Chriſtus *accipiens Panem, benedixit, fregit, deditque Diſcipulis ſuis, dicens, Hoc 'eſt Corpus meum; quaſi diceret Corpus meum, per 'Fidem perceptum, erit vobis pro Pane, vel inſtar 'Panis*; whoſe Senſe in the *Engliſh* is this, *That* 'Chriſt's *Body, received by Faith, ſhould be unto 'you as Bread, or inſtead of the Bread.*

'But here, to ceaſe any further to ſpeak of theſe 'German Writers, I ſhall draw nearer Home, as 'unto Dr. *Cranmer*, late Archbiſhop of *Canterbury*, 'in this Realm; how contrary was he unto himſelf in this Matter? When in one Year he did 'ſet forth a Catechiſm in the *Engliſh* Tongue, and 'did dedicate the ſame unto King *Edward* VI. 'wherein he did moſt conſtantly affirm and defend 'the real Preſence of *Chriſt*'s Body in the Holy 'Euchariſt; and very ſhortly after he did ſet forth 'another Book, wherein he did moſt ſhamefully 'deny the ſame, falſifying both the Scriptures and 'Doctors, to the no ſmall Admiration of all the 'learned Readers. Dr. *Ridley*, the notableſt learned of that Religion in this Realm, did ſet forth, 'at *Paul*'s Croſs, the real Preſence of *Chriſt*'s Body in the Sacrament, with theſe Words, which 'I heard, being there preſent: 'How that the "Devil did believe the Son of God was able to "make of Stones Bread; and we *Engliſh* People, "which do confeſs that *Jeſus Chriſt* was the very "Son of God, yet will not believe that he did "make of Bread his very Body, Fleſh and Blood: "Therefore we are worſe than the Devil; ſeeing "that our Saviour *Chriſt*, by expreſs Words, moſt "plainly affirmed the ſame, when at the laſt Supper he took Bread, and ſaid unto his Diſciples, "*Take ye, eat, this is my Body, which ſhall be*

"*given*

Q. *Elizabeth.* 1559. ‘ *given for you.*’ And ſhortly after the ſaid Dr. ‘ *Ridley*, notwithſtanding this moſt plain and open ‘ Speech at *Paul*’s Croſs, did deny the ſame. And ‘ in the laſt Book that Dr. *Cranmer* and his Ac- ‘ complices did ſet forth of the Communion, in ‘ King *Edward* the Sixth’s Days, theſe plain ‘ Words of *Chriſt*, *Hoc eſt Corpus meum*, did ſo ‘ incumber them and trouble their Wits, that they ‘ did leave out, in the ſame laſt Book, this Verb ‘ Subſtantive *eſt* [a]; and made the Senſe of *Chriſt*’s ‘ Words to be there engliſhed, *Take, eat this my* ‘ *Body*, and left out there, this *is* my Body; which ‘ Thing being eſpied by others, and great Fault ‘ found withall, then they were fain to patch up ‘ the Matter, with a little Piece of Paper clapped ‘ over the foreſaid Words, wherein was written ‘ this Verb Subſtantive *eſt*. The Dealing here- ‘ with being ſo uncertain, both of the *German* ‘ Writers and *Engliſh*, and one of them ſo much ‘ againſt another, your Honours may be well aſ- ‘ ſured that this Religion, which by them is ſet ‘ forth, can be no conſtant, no ſtayed Religion, ‘ and therefore of your Honours not to be re- ‘ ceived; but great Wiſdom it were for your Ho- ‘ nours to refuſe the ſame, untill you ſhall perceive ‘ better Agreement amongſt the Authors and Set- ‘ ters-forth of the ſame.

‘ Touching the *third* and *laſt* Rule of Trial- ‘ making, and putting of Difference between theſe ‘ Religions, it is to be conſidered of your Honours ‘ which of them both doth breed more obedient, ‘ humble, and better Subjects; firſt and chiefly unto ‘ our Saviour and Redeemer; ſecondly, unto our ‘ Sovereign Lady the Queen’s Highneſs, and to all ‘ other Superiors: And, for ſome Trial and Proba- ‘ tion thereof, I ſhall deſire your Honours to con- ‘ ſider the ſudden Mutation of the Subjects of this ‘ Realm, ſince the Death of the good Queen *Mary*, ‘ only cauſed in them by the Preachers of this new ‘ Religion: When, in Queen *Mary*’s Days, your ‘ Honours do know right well how the People of ‘ this

[a] This probably was only an Error of the Printer. *Strype.*

'this Realm did live in an Order; and would not 'run before Laws, nor openly disobey the Queen's 'Highness's Proceedings and Proclamations. There 'was no spoiling of Churches, pulling down of Altars, and most blasphemous treading of Sacraments 'under their Feet, and hanging up the Knave of 'Clubs in the Place thereof. There was no scotching nor cutting of the Face and Legs of the Crucifix and Image of *Christ*; there was no open 'Flesh eating nor Shambles-keeping in the *Lent* and 'Days prohibited. The Subjects of this Realm, 'and especially the Nobility and such as were of 'the Honourable Council, did, in Queen *Mary*'s 'Days, know the Way unto Churches and Chapels, 'there to begin their Day's Work, with calling for 'Help and Grace by humble Prayers and serving 'of God. And now, since the Coming and Reign 'of our most sovereign and dear Lady Queen *Elizabeth*, by the only Preachers and Scaffold-players 'of this new Religion, all Things are turned upside down; and notwithstanding the Queen's Majesty's Proclamations most godly made to the contrary, and her virtuous Example of Living, sufficient to move the Hearts of all obedient Subjects 'to the due Service and Honour of God. But 'Obedience is gone, Humility and Meekness clear 'abolished, virtuous Chastity and strait Living denied, as tho' they had never been heard of in this 'Realm, all Degrees and Kinds being desirous of 'fleshly and carnal Liberty; whereby the young 'Springals and Children are degenerate from their 'natural Fathers, the Servants Contemptors of their 'Masters' Commandments, the Subjects disobedient unto God and all superior Powers.

Q. *Elizabeth.* 1559.

'And therefore, Honourable and my very good 'Lords, of my Part to minister some Occasion 'unto your Honours to expel, avoid, and put out 'of this Realm this new Religion, whose Fruits 'are already so manifestly known to be as I have 'repeated; and to persuade your Honours to avoid 'it, as much as in me lieth, and to persevere and 'continue stedfastly in the same Religion, whereof

Q. *Elizabeth.* 1559.

'you are in Poſſeſſion, and have already made Profeſſion of the ſame unto God; I ſhall rehearſe unto your Honours four Things, whereby the holy Doctor St. *Auguſtine* was continued in the Catholic Church and Religion of *Chriſt*, which he had received, and would by no Means change nor alter from the ſame. The *firſt* of theſe four Things was, *Ipſa Authoritas Eccleſiæ* Chriſti *Miraculis inchoata, Spe nutrita, Charitate aucta, Vetuſtate firmata.* The *ſecond* Thing was, *Populi Chriſtiani Conſenſus et Unitas.* The *third* was, *Perpetua Sacerdotum Succeſſio in Sede* Petri. The *fourth* and *laſt* Thing was, *Ipſum Catholicæ Nomen.* If theſe four Things did cauſe ſo notable and learned a Clerk as St. *Auguſtine* was, to continue in his profeſſed Religion of *Chriſt* without all Change and Alteration, how much then ought theſe four Points to work the like Effect in your Hearts, and not to forſake your profeſſed Religion? *Firſt*, Becauſe it hath the Authority of *Chriſt*. *Secondly*, Becauſe it hath the Conſent and Agreement of Chriſtian People. *Thirdly*, Becauſe it hath the Confirmation of all *Peter*'s Succeſſors in the See Apoſtolic. *Fourthly*, It hath *Ipſum Catholicæ Nomen*, and in all Times and Seaſons, called *The Catholic Religion of* Chriſt. Thus bold have I been to trouble your Honours with ſo tedious and long an Oration, for the diſcharging, as I ſaid before, of my Duty, firſt unto God, ſecondly unto our Sovereign Lady the Queen's Highneſs, thirdly and laſt, unto your Honours, and all other Subjects of this Realm; moſt humbly beſeeching your Honours to take it in good Part, and to be ſpoken of me for the only Cauſes aboveſaid, and for none other.'

Another Oration made by Dr. *Scott*, Biſhop of *Cheſter*, in the Parliament-Houſe, againſt the Bill of the Liturgy.

Biſhop *Scott*'s Speech againſt the Liturgy.

'THIS Bill that hath been here read now the third Time, doth appear unto me ſuch a one, as that it is much to be lamented that it ſhould

'should be suffered either to be read, yea or any 'Ear to be given unto it of Christian Men, or so 'honourable an Assembly as this is: For it doth 'not only call in Question and Doubt those Things 'which we ought to reverence without any Doubt 'moving; but maketh further earnest Request for 'Alterance, yea, for the clear abolishing of the 'same. And that this may more evidently appear, 'I shall desire your Lordships to consider, that our 'Religion, as it was here of late discreetly, godly, 'and learnedly declared, doth consist partly in in- 'ward Things, as in Faith, Hope, and Charity; 'and partly in outward Things, as in common 'Prayers, and the holy Sacraments uniformly mi- 'nistred. Q. *Elizabeth.* 1559.

'Now, as concerning these outward Things, 'this Bill doth clearly extinguish them, setting in 'their Places I cannot tell what. And the inward 'it doth also so shake, that it leaveth them very 'bare and feeble.

'For, *first*, by this Bill, Christian Charity is ta- 'ken away, in that the Unity of *Christ*'s Church 'is broken: For it is said, *Nunquam relinquunt 'Unitatem, qui non prius amittunt Charitatem.* 'And St. *Paul* saith, That Charity is *Vinculum Per- 'fectionis*, the Bond or Chain of Perfection, 'wherewith we be knit and joined together in one; 'which Bond being loosed, we must needs fall 'one from another, in divers Parties and Sects, as 'we see we do at this present. And as touching 'our Faith, it is evident that divers of the Articles 'and Mysteries thereof be also not only called into 'Doubt, but partly openly, and partly obscurely, 'and yet in very Deed, as the other, flatly denied. 'Now these two, I mean Faith and Charity, be- 'ing in this Case, Hope is either left alone, or else 'Presumption set in her Place; whereupon, for the 'most part, Desperation doth follow; from the 'which I pray God preserve all Men.

'Wherefore these Matters mentioned in this Bill, 'wherein our whole Religion consisteth, we ought, 'I say, to reverence, and not to call into Question;

Q. *Elizabeth.* 1559. ‘ for as a learned Man writeth, *Quæ patefacta ‘ sint quærere, quæ perfecta sunt retractare, et quæ ‘ definita sunt convellere, quid aliud est, quin de ‘ adeptis Gratiam non referre*; that is to say, To ‘ seek after the Things which be manifestly opened, ‘ to call back or retract Things made perfect, and ‘ to pull up again Matters defined, what other ‘ Thing is it, than not to give Thanks for Benefits ‘ received? Likewise saith holy *Athanasius*, *Quæ ‘ nunc a tot ac talibus Episcopis probata sunt ac decre- ‘ ta, clareque demonstrata, supervacaneum est denuo ‘ revocare in Judicium:* It is a superfluous Thing, ‘ saith *Athanasius*, to call into Judgment again ‘ Matters which have been tried, decreed, and ma- ‘ nifestly declared, by so many and such Bishops, ‘ (he meaneth as were at the Council of *Nice*). ‘ For no Man will deny, saith he, but if they be ‘ new examined again and of new judged, and ‘ after that examined again and again. this Curio- ‘ sity will never come to any End. And as it is said ‘ in *Ecclesiastica Historia*, *Si quotidie licebit Fidem in ‘ Quæstionem vocare, de Fide nunquam constabit:* If ‘ it shall be lawful every Day to call our Faith in ‘ Question, we shall never be certain of our Faith. ‘ Now, if that *Athanasius* did think that no Man ‘ ought to doubt of Matters determined in the ‘ Council of *Nice*, where there were present three ‘ hundred and eighteen Bishops, how much less ‘ ought we to doubt of Matters determined and ‘ practised in the Holy Catholic Church of *Christ* ‘ by three hundred thousand Bishops, and how ‘ many more we cannot tell?

‘ And as for the Certainty of our Faith, where- ‘ of the Story of the Church doth speak; it is a ‘ Thing of all others most necessary; and if it shall ‘ hang upon an Act of Parliament, we have but a ‘ weak Staff to lean unto. And yet I shall desire ‘ your Lordships not to take me here as to speak in ‘ Derogation of the Parliament, which I acknow- ‘ ledge to be of great Strength in Matters whereun- ‘ to it extendeth: But for Matters in Religion, I ‘ do not think that it ought to be meddled withall, ‘ partly

'partly for the Certainty which ought to be in our Faith and Religion, and the Uncertainty of the Statutes and Acts of Parliament; for we see that oftentimes that which is established by Parliament one Year, is abrogated the next Year following, and the contrary allowed. And we see also that one King disalloweth the Statutes made under the other; but our Faith and Religion ought to be most certain, and one in all Times, and in no Condition wavering: For as St *James* saith, *He that doubteth, or staggereth in his Faith, is like the Waves of the Sea, and shall obtain nothing at the Hands of God.* And partly for that the Parliament consisteth for the most Part of Noblemen of this Realm, and certain of the Commons, being Lay and Temporal Men; which, although they be both of good Wisdom and Learning, yet not so studied nor exercised in the Scriptures, and the holy Doctors and Practices of the Church, as to be competent Judges in such Matters. Neither doth it appertain to their Vocation; yea, and that by your Lordships own Judgment, as may well be gathered of one Fact, which I remember was done this Parliament-time, which was this: There was a Nobleman's Son arrested and committed unto Ward; which Matter, being opened here unto your Lordships, was thought to be an Injury to this House: Whereupon as well the young Gentleman as the Officer that did arrest him, and the Party by whose Means he was arrested, were all sent for, and commanded to appear here before your Lordships; which was done accordingly: Yet, before the Parties were suffered to come into the House, it was thought expedient to have the whole Matter considered, lest this House should intermeddle with Matters not pertaining unto it. In treating whereof there was found three Points; *first*, There was a Debt, and That your Lordships did remit to the Common Law. The *second* was a Fraud, which was referred to the Chancery, because neither of both did appertain unto this

Q. *Elizabeth.* 1559.

Q. *Elizabeth.* 1559.

'Court. And the *third* was the Arreſt, and committing to Ward of the ſaid Gentleman, wherein this Houſe took Order. Now, if that by your Lordſhips own Judgments the Parliament hath not Authority to meddle with Matters of Common Law, which is grounded upon common Reaſon; neither with the Chancery, which is grounded upon Conſiderance; (which two Things be naturally given unto Man) then much leſs may it intermeddle with Matters of Faith and Religion, far paſſing Reaſon and the Judgment of Man, ſuch as the Contents of this Bill be; wherein there be three Things ſpecially to be conſidered; that is, the Weightineſs of the Matter, the Darkneſs of the Cauſe, and the Difficulty in trying out the Truth, and thirdly, the Danger and Peril which doth enſue if we do take the wrong Way.

'As concerning the firſt, that is, the Weightineſs of the Matter contained in this Bill, it is very great; for it is no Money-Matter, but a Matter of Inheritance; yea, a Matter touching Life and Death, and Damnation dependeth upon it. Here is ſet before us, as the Scripture ſaith, Life and Death, Fire and Water. If we put our Hand into the one we ſhall live; if it take hold of the other we ſhall die. Now, to judge theſe Matters here propounded, and diſcern which is Life and which is Death, which is Fire that will burn us, and which is Water that will refreſh and comfort us, is a great Matter, and not eaſily perceived of every Man. Moreover, there is another Matter here to be conſidered, and that we do not unadviſedly condemn our Forefathers and their Doings, and juſtify ourſelves and our own Doings; both which the Scripture forbiddeth. This we know, that this Doctrine and Form of Religion, which this Bill propoundeth to be aboliſhed and taken away, is that which our Foreſathers were born, brought up and lived in, and have profeſſed here in this Realm, without any Alteration or Change, by the Space of

'900

'900 Years and more; and hath also been profes- Q. *Elizabeth.* 1559.
'sed and practised in the Universal Church of
'*Christ* since the Apostles' Time. And that
'which we go about to establish and place for it
'is lately brought in, allowed no where, nor put
'in Practice, but in this Realm only; and that but
'a small Time, and against the Minds of all Ca-
'tholic Men. Now, if we do but consider the
'Antiquity of the one and the Newness of the
'other, we have just Occasion to have the one in
'Estimation for the long Continuance thereof, un-
'to such Time as we see evident Cause why
'we should revoke it: And to suspect the other
'as never heard of here before, unto such Time as
'we see just Cause why we should receive it, see-
'ing that our Fathers never heard tell of it.

'But now I do call to Remembrance, that I
'did hear Yesterday a Nobleman in this House say,
'making an Answer unto this as it were by Pre-oc-
'cupation, that our Fathers lived in Blindness,
'and that we have just Occasion to lament their
'Ignorance; whereunto me thinketh it may be
'answered, that if our Fathers were here and heard
'us lament their Doings, it is very like they would
'say unto us, as our Saviour *Christ* said unto the
'Women which followed him when he went to
'his Death, and weeped after him, *Nolite flere*
'*super nos, sed super vos*; *i. e.* Weep not over us
'for our Blindness, but weep over yourselves for
'your own Presumption, in taking upon you so
'arrogantly to justify yourselves and your own Do-
'ings, and so rashly condemning us and our Do-
'ings. Moreover, *David*[f] doth teach us a
'Lesson clear contrary to this Nobleman's Say-
'ings: For he biddeth us in doubtful Matters go to
'our Fathers, and learn the Truth of them, in
'these Words; *Interroga Patrem tuum, & annun-*
'*ciabit tibi, Majores tuos & dicent tibi*; *i. e.* Ask of
'thy Father, and he shall declare the Truth unto
'thee, and of thine Ancestors, and they will tell
'thee:

[f] This Bishop mistook *David* for *Moses*, for the Words are in *Deuteronomy*, xxxii. 7. *Strype*.

Q. *Elizabeth.* 1559.

'thee: And after, in the same Psalm, *Filii qui nascentur & exsurgent, narrabunt Filiis suis, ut cognoscat Generatio altera*; *i. e.* The Children 'which shall be born and rise up, shall tell unto 'their Children, that it may be known from one 'Generation to another. *David* here willeth us to 'learn of our Fathers, and not to contemn their 'Doings. Wherefore I conclude, as concerning 'this Part, that this Bill, containing in it Matters 'of great Weight and Importance, it is to be de-'liberated on with great Diligence and Circumspec-'tion; and examined, tried, and determined by 'Men of great Learning, Virtue, and Experience.

'And as this Matter is great, and therefore not 'to be passed over hastily, but diligently to be ex-'amined, so is it dark and of great Difficulty to be 'so plainly discussed, as that the Truth may ma-'nifestly appear. For here be, as I have said, two 'Books of Religion propounded, the one to be 'abolished as erroneous and wicked, and the other 'to be established as godly and consonant to Scrip-'ture; and they be both concerning one Matter, 'that is, the true Administrations of the Sacraments 'according to the Institution of our Saviour *Christ*. 'In the which Administration there be three 'Things to be considered: The *first* is The Institu-'tion of our Saviour *Christ*, for the Matter and Sub-'stance of the Sacraments. The *second*, The Or-'dinances of the Apostles, for the Form of the Sa-'craments. And the *third* is The Additions of the 'holy Fathers, for the adorning and perfecting of 'the Administration of the said Sacraments; which 'three be all duly, as we see, observed, and that 'of Necessity, in this Book of the Mass and old 'Service, as all Men do know which understand it. 'The other Book which is so much extolled, doth, '*ex professo*, take away two of these three Things, 'and in very Deed maketh the third a Thing of 'nought. For, *first*, as concerning the Additions 'of the Fathers, as in the Mass, *Confiteor*, *Miserea-'tur*, *Kirie eleison*, *Sequentes preces*, *Sanctus* 'Agnus Dei, with such other Things: And also 'the Ordinances of the Apostles, as Blessings, Cros-

'sings;

'sings; and in the Administration of divers of the Q. Elizabeth.
'Sacraments, Exsufflations, Exorcisms, Inunctions, praying towards the East, Invocation of 1559.
'Saints, Prayer for the Dead, with such other;
'this Book taketh away, either in Part or else
'clearly, as Things not allowable. And yet doth
'the Fautors thereof contend, that it is most per-
'fect according to *Christ*'s Institution, and the Or-
'der of the primitive Church. But to let the Or-
'dinances of the Apostles, and the Additions of
'the Fathers pass, (which, notwithstanding, we
'ought greatly to esteem and reverence) let us come
'to the Institution of our Saviour *Christ*, whereof
'they talk so much, and examine whether of those
'two Books come neareſt unto it. And to make
'Things plain, we will take for Example the
'Mass, or, as they call it, the Supper of the Lord;
'wherein our Saviour *Christ* (as the holy Fathers
'do gather upon the Scriptures) did institute three
'Things, which he commanded to be done in Re-
'membrance of his Death and Passion unto his
'coming again, saying, *Hoc facite, &c.* Do ye
'this: Whereof the *first* is, The consecrating of the
'blessed Body and Blood of our Saviour *Jesus*
'*Christ*. The *second*, The offering up of the same
'unto God the Father. And the *third*, The com-
'municating, that is, the eating and drinking of
'the said blessed Body and Blood, under the Forms
'of Bread and Wine. And as concerning the first
'two, St. *Chrysostom* saith thus, *Volo quiddam edi-*
'*cere plane mirabile, & nolite mirari, neque turba-*
'*mini, &c.* I will, saith St. *Chrysostom*, declare un-
'to you in very Deed a marvellous Thing, but
'marvel not at it, nor be not troubled. But what
'is this? It is the holy Oblation; whether *Peter*
'or *Paul*, or a Priest of any Desert, do offer, it is
'the very same which *Christ* gave to his Disciples,
'and which Priests do make or consecrate at this
'Time. This hath nothing less than that. Why
'so? Because Men do not sanctify this, but *Christ*
'which did sanctify that before. For like as the
'Words which *Christ* did speak, be the very same

'which

Q. *Elizabeth.* 1559. ‘ which the Priests do now pronounce, so is it the ‘ very same Oblation. These be the Words of St. ‘ *Chrysostom*; wherein he testifieth as well the Oblation and Sacrifice of the Body and Blood of ‘ our Saviour *Christ*, offered unto God the Father ‘ in the Mass, as also the consecrating of the same ‘ by the Priest: Which two be both taken away ‘ by this Book, as the Authors thereof do willingly ‘ acknowledge; crying out of the Offering of ‘ *Christ* oftner than once, notwithstanding that all ‘ the holy Fathers do teach it; manifestly affirming ‘ *Christ* to be offered daily after an unbloody Manner. But if these Men did understand and consider what doth ensue and follow of this their Affirmation, I think they would leave their Rashness, and return to the Truth again: For if it be ‘ true what they say, that there is no external ‘ Sacrifice in the New Testament, then doth it ‘ follow, that there is no Priesthood under the ‘ same, whose Office is, saith St. *Paul*, *To offer up Gifts and Sacrifices for Sin*[g]. And if there ‘ be no Priesthood, then is there no Religion under ‘ the New Testament. And if we have no Religion, then be we *Sine Deo in hoc Mundo*; that is, ‘ we be without God in this World; for one of ‘ these doth necessarily depend and follow upon ‘ another. So that, if we grant one of these, we ‘ grant all; and if we take away one, we take ‘ away all.

‘ Note (I beseech your Lordships) the End of ‘ these Men's Doctrine, that is to set us without ‘ God. And the like Opinion they hold touching ‘ the Consecration; having nothing in their ‘ Mouths but the Holy Communion; which, after ‘ the Order of this Book, is holy only in Words, ‘ and not in Deed: For the Thing is not there ‘ which should make it holy, I mean the Body and ‘ Blood of *Christ*, as may thus appear: It may ‘ justly in very Deed be called the Holy Communion if it be ministred truly, and accordingly as it ‘ ought

g This is expresly spoken of the High Priests of the Old Testament. *Strype.*

ought to be; for then we receive *Christ*'s holy Body and Blood into our Bodies, and be joined in one with him, like two Pieces of Wax, which, being melten and put together, be made one. Which Similitude St. *Cyril* and *Chryſoſtom* do uſe in this Matter; and St. *Paul* ſaith, *That we be made his Bones and Fleſh.* But by the Order of this Book this is not done; for *Christ*'s Body is not there in very Deed to be received. For the only Way whereby it is preſent is by Conſecration, which this Book hath not at all[h]; neither doth it obſerve the Form preſcribed by *Chriſt*, nor follow the Manner of the Church. The Evangeliſts declare, That our Saviour took Bread into his Hands, and did bleſs it, brake it, and gave it to his Diſciples, ſaying, *Take and eat, this is my Body which is given for you: Do this in Remembrance of me.* By theſe Words, *Do this*, we be commanded to take Bread into our Hands to bleſs it, break it, and having a Reſpect to the Bread, to Pronounce the Words ſpoken by our Saviour, that is, *Hoc eſt Corpus meum.* By which Words, ſaith St. *Chryſoſtom*, the Bread is conſecrated. Now, by the Order of this Book, neither doth the Prieſt take the Bread in his Hands, bleſs it, nor break it, neither yet hath any Regard or Reſpect to the Bread, when he rehearſeth the Words of *Chriſt*, but doth paſs them over as they were telling a Tale, or rehearſing a Story. Moreover, whereas, by the Minds of good Writers, there is required, yea, and that of Neceſſity, a full Mind and Intent, to do that which *Chriſt* did; that is, to conſecrate his Body and Blood, with other Things following: Wherefore the Church hath appointed in the Maſs certain Prayers, to be ſaid by the Prieſt before the Conſecration, in the which theſe Words be, *Ut nobis fiat Corpus & Sanguis Domini noſtri* Jeſu Chriſti; that is, the Prayer is to this End, That the Creatures may be made unto us the Body and Blood of our Saviour *Jeſus Chriſt*: Here

Q. *Elizabeth.* 1559.

h This is notoriouſly falſe, the Prayer of Conſecration being evident to all Men's Eyes that conſult the Book. *Strype.*

Q. *Elizabeth* 1559. ‘ Here is declared the Intent, as well of the Church ‘ as alſo of the Prieſt which ſaith Maſs: But as for ‘ this new Book, there is no ſuch Thing mention- ‘ ed in it, that doth either declare any ſuch Intent, ‘ either make any ſuch Requeſt unto God, but ‘ rather to the contrary; as doth appear by the ‘ Requeſt there made in theſe Words, *That we, re- ‘ ceiving theſe thy Creatures of Bread and Wine*, &c. ‘ which Words declare, that they intend no Con- ‘ ſecration at all. And then let them glory as ‘ much as they will in their Communion, it is to ‘ no Purpoſe, ſeeing that the Body of *Chriſt* is not ‘ there; which, as I have ſaid, is the Thing that ‘ ſhould be communicated.

‘ There did Yeſterday a Nobleman in this Houſe ‘ ſay, That he did believe that *Chriſt* is there re- ‘ ceived in the Communion ſet out in this Book; ‘ and being aſked, If he did worſhip him there, he ‘ ſaid, No, nor ever would ſo long as he lived. ‘ Which is a ſtrange Opinion, that *Chriſt* ſhould be ‘ any where, and not worſhipped. They ſay, they ‘ will worſhip him in Heaven, but not in the Sacra- ‘ ment: Which is much like as if a Man would ‘ ſay, That when the Emperor ſitteth under his ‘ Cloth of Eſtate, princely apparelled, he is to be ‘ honoured; but if he come abroad in a Frize Coat, ‘ he is not to be honoured; and yet he is all one ‘ Emperor in Cloth of Gold under his Cloth of ‘ Eſtate, and in a Frize Coat abroad in the Street. ‘ As it is one *Chriſt* in Heaven in the Form of Man, ‘ and in the Sacrament under the Forms of Bread ‘ and Wine. The Scripture, as St. *Auguſtine* doth ‘ interpret it, doth command us to worſhip the ‘ Body of our Saviour, yea, and that in the Sa- ‘ crament in theſe Words, *Adorate Scabellum Pe- ‘ dum ejus, quoniam ſanctum eſt*; Worſhip his ‘ Footſtool, for it is holy. Upon the which Place ‘ St. *Auguſtine* writeth thus, *Chriſt* took Fleſh of ‘ the bleſſed Virgin his Mother, and in the ſame he ‘ did walk, and the ſame Fleſh he gave us to eat ‘ unto Health; but no Man will eat that Fleſh, ‘ except he worſhip it before. So it is found out

‘ how

'how we shall worship his Footstool, *&c.* we shall 'not only not sin in worshipping, but we shall sin 'in not worshipping. Thus far St. *Augustine*: 'But as concerning this, if we would consider all 'Things well, we shall see the Provision of God 'marvellous in it: For he provideth so, that the 'very Heretics, and Enemies of the Truth, be 'compelled to confess the Truth in this Behalf: 'For the *Lutherans* writing against the *Zwinglians* 'do prove, that the true natural Body of our Saviour *Christ* is in the Sacrament: And the *Zwinglians* against the *Lutherans* do prove, that then it 'must needs be worshipped there. And thus, in 'their Contention, doth the Truth burst out whether they will or no. Wherefore, in my Opinion, 'of these two Errors, the fonder is to say, That '*Christ* is in the Sacrament, and yet not to be worshipped, than to say, he is not there at all. For 'either they do think, that either he is there but 'in an Imagination or Fancy, and so not in very 'Deed; or else they be *Nestorians*, and think that 'there is his Body only, and not his Divinity; 'which be both devilish and wicked.

'Now, my Lords, consider I beseech you the 'Matters here in Variance; whether your Lordships be able to discuss them according to Learning, so as the Truth may appear, or no; that is, 'Whether the Body of *Christ* be by this new Book 'consecrated, offered, adored, and truly communicated, or no; and whether these Things be required necessarily by the Institution of our Saviour '*Christ*, or no; and whether Book goeth nearer 'the Truth. These Matters, my Lords, be (as I 'have said) weighty and dark, and not easy to be 'discussed: And thus likewise your Lordships may 'think of the rest of the Sacraments, which be 'either clearly taken away, or else mangled after 'the same Sort by this new Book.

'The *third* Thing here to be considered is, the 'great Danger and Peril that doth hang over your 'Heads, if you do take upon you to be Judges in 'these Matters, and judge wrong; bringing both

'your-

Q. *Elizabeth.* 1559. 'yourſelves and others from the Truth unto Untruth, from the Highways unto By paths. It is 'dangerous enough, our Lord knoweth, for a Man 'himſelf to err; but it is more dangerous not only 'to err himſelf, but alſo to lead other Men into 'Error. It is ſaid in the Scripture of the King '*Hieroboam*, to aggravate his Offences, that *Peccavit & peccare fecit* Iſrael; *i. e.* He did ſin himſelf, 'and cauſed *Iſrael* to ſin. Take Heed, my Lords, 'that the like be not ſaid by you; if you paſs this 'Bill, you ſhall not only, in my Judgment, err 'yourſelves, but ye alſo ſhall be the Authors and 'Cauſers that the whole Realm ſhall err after you; 'for the which you ſhall make an Account before 'God.

'Thoſe that have read Stories, and know the 'Diſcourſe and Order of the Church, diſcuſſing of 'Controverſies in Matters of Religion, can teſtify, 'that they have been diſcuſſed and determined in 'all Times by the Clergy only, and never by the 'Temporality. The Hereſy of *Arius*, which 'troubled the Church in the Time of *Conſtantine* 'the Great, was condemned in the Council of '*Nice*. The Hereſy of *Eutyches* in the Council of '*Chalcedone*, under *Martin*; the Hereſy of *Macedonius* in the firſt Council of *Conſtantinople*, in the 'Time of *Theodoſius*; the Hereſy of *Neſtorius* in 'the *Epheſin* Council, in the Time of *Theodoſius* 'the younger. And yet did never none of theſe 'good Emperors aſſemble their Nobility and Commons, for the diſcuſſing and determining of theſe 'Controverſies; neither aſked their Minds in 'them, or went by Number of Voices or Polls to 'determine the Truth, as is done here in this 'Realm at this Time. We may come lower, to 'the third Council of *Tolletane* in *Spain*, in the 'Time of *Ricaredus* being there, and to the 'Council of *France* about 800 Years ago, in the 'Time of *Carolus Magnus*; which both following the Order of the Church, by Licence had of 'the Pope, did procure the Clergy of their Realms 'to be gathered and aſſembled, for reforming of 'certain

' certain Errors and Enormities within their said Realms, whereunto they never called their Nobility nor Commons; neither did any of them take upon themselves either to reason or dispute, in discussing of the Controversies, neither to determine them being discussed; but left the whole to the discussing and determining of the Clergy. And no Marvel, if these with all other Catholic Princes used this Trade; for the Emperors that were Heretics did never reserve any such Matter to the Judgment of Temporal Men, as may appear to them that read the Stories of *Constantius*, *Valens*, &c. who procured divers Assemblies, but always of the Clergy, for the establishing of *Arius*'s Doctrine; and of *Zeno* the Emperor, which did the like for *Eutyches*'s Doctrine; with many others of that Sort. Yea, it doth appear in the *Acts of the Apostles*, that an Infidel would take no such Matter upon him. The Story is this, St. *Paul* having continued at *Corinth* one Year and an half in preaching of the Gospel, certain wicked Persons did arise against him, and brought him before their Vice-Consul called *Gallio*, laying unto his Charge, That he taught the People to worship God contrary to their Law. Unto whom the Vice-Consul answered thus, *Si quidem esset Iniquum aliquid aut Facinus pessimum, o vos* Judæi, *recte vos sustinerem; si vero Quæstionis sint de Verbo & Nominibus Legis vestræ, vos ipsi videritis, Judex horum ego nolo esse*; *i. e.* If that this Man, saith *Gallio*, had committed any wicked Act or cursed Crime, O ye *Jews*, I might justly have heard you; but and if it be concerning Questions and Doubts of the Words and Matters of your Law, that is to say, if it be touching your Religion, I will not be Judge in those Matters. Mark, my Lords, this short Discourse, I beseech your Lordships, and ye shall perceive, that all Catholic Princes, Heretic Princes, yea, and Infidels, have from Time to Time refused to take that upon them that your Lordships go about and challenge to do. Q. *Elizabeth.* 1559.

' But

Q. *Elizabeth.* 1559.

'But now, because I have been long, I will 'make an End of this Matter, with the Saying of 'two noble Emperors in the like Affairs. The first 'is *Theodosius*, which said thus; *Illicitum est enim, 'qui non sit ex Ordine sanctorum Episcoporum, Eccle-'siasticis se immiscere Tractatibus*; *i. e.* It is not 'lawful, saith he, for him that is not of the Order 'of the holy Bishops, to intermeddle with the 'treating of Ecclesiastical Matters. Likewise, said '*Valentinianus* the Emperor, being desired to as-'semble certain Bishops together for examining of 'a Matter of Doctrine, in this wise; *Mihi, qui in 'sorte sub Plebis, fas non est talia curiosius scrutari*; '*Sacerdotes, quibus ista Curæ sunt, inter seipsos quo-'cunque Loco voluerint convenient*; *i. e.* It is not 'lawful for me, quoth the Emperor, being one of 'the Lay People, to search out such Matters cu-'riously; but let the Priests, unto whom the 'Charge of these Things doth appertain, meet to-'gether in what Place soever they will: He mean-'eth, for the discoursing thereof. But to con-'clude; and if these Emperors had not to do with 'such Matters, how should your Lordships have to 'do withall? And thus desiring your good Lord-'ships to consider, and take in good part these few 'Things that I have spoken, I make an End.'

Besides Church-Matters, some Care was taken of the State of the Nation in Trade, &c. A few Acts were made on Merchandize, Shipping, the Cloth and Iron Trade, and unlawful and riotous Meetings; which are all printed. There is one Church-Act still, that deserves a little more particular Notice, which was concerning the Archbishops and Bishops Demesnes. By this it was enacted, 'That they should not give, grant, or lease out the Lands and Livings of the Church, for twenty-one Years, or three Lives, to any other than the Queen and her Successors, reserving the old Rents.' This Act was never printed, and *Camden* observes upon it, That this Exception to the Queen, however prejudicial to the Church, turned

turned to the Account of such Courtiers as abused the Queen's Favour, and of those Bishops who were of a narrow and covetous Spirit. But he adds, That at last it was quite expunged, to the great Benefit of the Church, in the Beginning of the next Reign [i]. Q. Elizabeth. 1559.

In the Proceedings of the House of Commons, this Parliament, a Case of Privilege is somewhat remarkable. One *John Smyth*, Esq; returned a Burgess for *Camelsorde*, in *Cornwall*, was accused by another Member, 'That he had come to the House 'being outlawed; and had also defrauded several 'Merchants in *London*, of Wares, to the Sum of '300*l.* under Colour of the Privilege of the House.' The Examination of this Matter being referred to a Committee, it was reported to be true; and, on Consultation in the House, the Question being put, Whether he should have Privilege or not? it was carried in the Affirmative, by only 112 against 107 [k]. A Question of Privilege.

In the Catalogue of the Acts passed this Session, in the *Journals*, are the Titles of 40; in the printed Statutes, only 21: Tho' it is to be noted that six of those Acts in the *Lords' Journals* have not the least Notice taken of them in the Proceedings of that House. *Camden* remarks, That in this Parliament there was not a Man attainted; a Thing, he says, very unusual in the first Session of that Court in the Reigns of other Princes. The Reader may remember the same Thing happened in the first Parliament of her Sister; but several Attainders were now reversed. *Gregory Fienes*, Lord *Dacres*, and *Thomas* his Brother, were restored to their Titles and Estates, forfeited by their Father's Attainder under *Henry* VIII. *Henry Howard*, and his three Sisters, the Children of *Henry Howard*, Earl of *Surrey*, beheaded upon a slight Pretence by the same King, a little before his Death; *John Gray*, of *Pyrgo*, Brother to the Marquis of *Dorset*, Sir *Henry Gates*, Sir *James Crofts*, convicted of Acts passed. Attainders reversed.

[i] *Camden* in *Kennet*, p. 376.
[k] *Journals of the Commons*, Vol. I. p. 57.

Q. *Elizabeth.* 1559. Treaſon in Queen *Mary*'s Days; and ſeveral others.

The *Journal* of the Lords concludes this Parliament very abruptly; and that of the Commons not much fuller. All that is ſaid in the latter is, That *May* 8, in the Afternoon, the Queen came to the Houſe, when Mr. Speaker, attended by the Commons, made a learned Oration, on exhibiting the Bill for the Subſidy and the Bill for Tonnage and Poundage. He alſo required the Queen's Aſſent to ſuch other Bills as had paſſed both the Houſes. Which Oration being commended and anſwered by the Lord Keeper, the Royal Aſſent was given to forty two Bills; and, by the Queen's Pleaſure, this Parliament was diſſolved.

The Parliament diſſolved.

It is now that another Revolution in Church-Affairs took Place, in a very ſurprizing Manner; and Popes, with Cardinals, once more were baniſh'd this Realm. On the Riſing of the Parliament the new Liturgy in the vulgar Tongue, which by their Authority had been eſtabliſhed, was introduced into all Churches and Chapels of the Kingdom. Images were once more taken down and removed out of them, with as little Diſturbance as poſſible: And ſome of the Clergy themſelves underwent the ſame Fate: For the Oath of Supremacy being tendered to them, ſuch as refuſed were deprived of their Biſhoprics, Livings, and all other Eccleſiaſtical Preferments: But the Number of the Conſcientious Clergy were but ſmall in Compariſon of the whole Body. In *England* there were then computed 9400 Eccleſiaſtical Preferments; of theſe there went off no more than eighty Pariſh Prieſts, fifty Prebendaries, fifteen Heads of Colleges, twelve Archdeacons, as many Deans, ſix Abbots and Abbeſſes, and fourteen Biſhops; which laſt Number, except the Biſhop of *Llandaff*, were all that then were living. In this the Heads of the Clergy ſhewed much more Conſcience than the Tail of them. Other Biſhops, &c. were elected and ſubſtituted in the Places of the Deprived; and theſe

Alterations in Religion.

Alter-

Alterations in Religion were done with ſo little Noiſe and Buſtle in *England*, as was, ſays *Camden*, to the Aſtoniſhment of the whole Chriſtian World. Q. *Elizabeth.* 1559.

It is now alſo that we have a Gap of Time, almoſt as wide as all the laſt Reign, before we meet with the Call of another Parliament: For it was not till the Beginning of the Year 1563 that a new one was ſummoned. In the mean while, *England* became embroiled in a War with *Scotland*, on Account of *Mary* their Queen, who was lately married to the *Dauphin* of *France*. As this Princeſs muſt make a conſiderable Figure in any Hiſtory of this Reign, it is proper in this Place to give ſome Account of her.

Mary Stewart, only Child to *James* V. King of *Scotland*, by *Margaret*, eldeſt Daughter to King *Henry* VII. of *England*, by his Wife *Elizabeth*, eldeſt Daughter to King *Edward* IV. was almoſt born a Queen; for her Father lived not a Week after her Birth, which happened *December* 7, in the Year 1541. Whilſt ſhe was yet an Infant-Queen, the Guardians of *Scotland* were much ſollicited by *Henry* VIII. her Uncle, to contract her in Marriage to his young Son *Edward*; and, after this Prince ſucceeded his Father, the ſame Overtures were made to the *Scots*; which being both Times refuſed, a ſmart and bloody War enſued upon it. *French* Politics, or *French* Piſtoles, always influenced the *Scots* Miniſtry to refuſe this Match; and at length brought them to conſent to her Marriage with the eldeſt Son of *France*, afterwards King *Francis* II.

This grand Alliance looked very formidable againſt Queen *Elizabeth*, eſpecially when the young King of *France*, in Right of his Queen, made no Scruple to claim the *Engliſh* Crown; and, to back this Title, actually ſent a Body of *French* Troops into *Scotland*, in order to begin Hoſtilities againſt the *Engliſh* from that Quarter.

[Q. *Elizabeth.* 1559.

It was very fortunate for Queen *Elizabeth* that the *Scots* were then a much divided Nation; the Doctrine of *J. Knox*, and other zealous Conventiclers, had poſſeſſed the Minds of half that Kingdom, inſomuch that they refuſed to obey the Queen-Regent, when the Heads of theſe Sectaries were called on, to join the *French* Intereſt againſt their Brethren the Reformers in *England*. It was the Policy of the *Engliſh* Miniſtry to keep up this Diviſion amongſt their Neighbours; and Soldiers were ſent into *Scotland*, both by Sea and Land, to invade it, and drive the *French* home again. But we leave the Progreſs of theſe Wars to our larger Hiſtorians; and ſhall only take Notice, that another lucky Incident greatly helped to ſecure Queen *Elizabeth*, which was the Death of the young King of *France*, *Francis* II. who, dying in the Midſt of theſe Tumults, left the young Queen of *Scots* a Widow, with a very unhappy Courſe of Life to ſteer after him.

The home-bred Diviſions in *Scotland*, and a Civil War breaking out in *France* between the Princes of the Blood and the *Guiſe*'s Party, ſeemed to favour the *Engliſh* Miniſtry on all Sides. An Army was ſent from hence into *France*, in order to invade them in our Turn; and at this Conjuncture the Queen thought fit to call a new Parliament to find Money to ſupport it. But this being a Period of ſome Account in the Hiſtory of this long Reign, we ſhall chuſe alſo to make it one to this Volume.

The END of the THIRD VOLUME.